MINNEAPOLIS CITY COUNCIL OFFICIAL PROCEEDINGS

REGULAR MEETING OF DECEMBER 10, 2010

(Published December 18, 2010, in Finance and Commerce)

Council Chamber

Room 317 City Hall

350 South 5th Street

Minneapolis, Minnesota

December 10, 2010 - 9:30 a.m.

Council President Johnson in the Chair.

Present - Council Members Gordon, Reich, Hofstede, Schiff, Lilligren, Colvin Roy, Tuthill, Quincy, Glidden, Goodman, Hodges, Samuels, President Johnson.

Adoption of the agenda was approved by unanimous consent.

Absent - Hofstede.

Glidden moved to amend the agenda to include under the Regulatory, Energy & Environment reports consideration of the license application relating to Pat's Tap, 3510 Nicollet Ave. Seconded.

Adopted upon a voice vote.

Absent - Hofstede.

Lilligren moved to amend the agenda to include under the Committee of the Whole report consideration of the appointments to Metropolitan Sports Facilities Commission approved by the Committee at its regular meeting December 9, 2010. Seconded.

Adopted upon a voice vote.

Absent - Hofstede.

The agenda, as amended, was adopted upon a voice vote 12/10/2010.

Absent - Hofstede.

Lilligren moved acceptance of the minutes of the adjourned session held November 18, 2010 and the regular meeting of November 19, 2010. Seconded.

Adopted upon a voice vote 12/10/2010.

Absent - Hofstede.

Lilligren moved referral of petitions and communications and reports of the City officers to the proper Council committees and departments. Seconded.

Adopted upon a voice vote 12/10/2010.

Absent - Hofstede.

PETITIONS AND COMMUNICATIONS

COMMITTEE OF THE WHOLE:

CIVILRIGHTS (274631)

3rd Quarter Contract Compliance Report

1st, 2nd, and 3rd Quarter Civilian Review Authority Reports

COMMITTEE OF THE WHOLE (See Rep):

INTERGOVERNMENTAL RELATIONS (274632)

2011 Legislative Agenda

INTERGOVERNMENTAL RELATIONS (274633)

Appointments to Metropolitan Sports Facilities Commission

NEIGHBORHOOD SERVICES DEPARTMENT (274634)

Community Participation Program Guidelines

COMMUNITY DEVELOPMENT:

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (274635)

2010 3rd Quarter Financial status report on CPED funds.

COMMUNITY DEVELOPMENT (See Rep):

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (274636)

Bond Issuance:

Catholic Charities (re J. Jerome Boxleitner Project, 165 Glenwood Ave N): Preliminary & final approval re shelter facility.

Land Sale & Lot Division (1111-30th Ave N): Sale of portion of parcel to Sonia Figueroa & sale of portion to Mike Nehmzow.

Metropolitan Council Livable Communities Act: Housing Action Plan.

Longfellow Station Development: Change in development entity & project.

Hennepin County Housing & Redevelopment Authority: Authorize Hennepin County HRA to conduct business within the City re acquisiton & sale of tax-forfeited land.

Riverview Apartments Senior Housing Development (vic 54th St & Haiwatha Ave): Extension of developent rights & committed financing.

COMMUNITY DEVELOPMENT and WAYS & MEANS/BUDGET (See Rep):

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (274637)

Twin Cities Community Land Bank Agreement; New contract for acquisition intermediary services in support of Neighborhood Stabilization Program 2.

2010 Revenue Bond Entitlement Carryforward: Authorization.

Energy Efficiency Businss Loan & Grant Program: Amending terms of program.

Great Streets Neighborhood Business District Program: Authorizing one percent origination fee for Real Estate Development Gap Financing Loan; adopt underwriting guidelines.

PUBLIC SAFETY AND HEALTH:

HEALTH AND FAMILY SUPPORT SERVICES (274638)

2010 Public Health Emergency Preparedness Activities: After Action report on H1N1 Pandemic Influenza Outbreak.

PUBLIC SAFETY AND HEALTH (See Rep):

POLICE DEPARTMENT (274639)

Community Justice Program: Approve payment of \$15,000 to Greater Minneapolis Council of Churches in support of the Community Justice Program for 2010.

PUBLIC SAFETY AND HEALTH and RE&E (See Rep):

REGULATORY SERVICES (274640)

Fire Prevention Bureau: Ordinance amending provisions to effectuate the transfer of non-sworn fire prevention bureau staff to the Department of Regulatory Services.

PUBLIC SAFETY AND HEALTH and WAYS & MEANS/BUDGET (See Rep):

FIRE DEPARTMENT (274641)

Urban Search and Rescue Training: Accept reimbursement, in the amount of \$19,914.87, for training as a participating member of the State of Minnesota's Task Force One Team; and Approve appropriation.

FIRE DEPARTMENT/POLICE DEPARTMENT (274642)

Health Club Memberships for Sworn Personnel: Execute amendment #3 to contract with Lifetime Fitness to extend contract for a three-month period.

HEALTH AND FAMILY SUPPORT SERVICES (274643)

Health and Human Services for 2011-2015: Execute Master Contracts with eligible providers of community agencies and governmental and political subdivision entities, with staff being authorized to issue Fund Availability Notices when project funds become available.

Multicultural Storytelling Project Toolkit: Execute end-use license agreements with other jurisdictions and health and human services agencies for use of the Multicultural Storytelling: A New Process for Community Engagement Toolkit" on an ongoing basis; and Designate revenue received as program income for the state Local Public Health funds.

Mental Health Services for Women during Perinatal Period: Execute contract with University of Minnesota to accept \$17,383 for conducting a community needs assessment related to prenatal and postpartum depression and other mental distress and develop a model of community based services; and Approve appropriation.

HEALTH AND FAMILY SUPPORT SERVICES (274644)

Teen Pregnancy Prevention Grant: Execute contract with Hennepin County to accept \$151,686 from a federal Teen Pregnancy Prevention Grant to implement and evaluate a clinic based teen pregnancy prevention intervention "It's your future – Safer Sex Program"; and Approve appropriation.

Biological Events: Execute agreement with Hennepin County on roles and responsibilities for biological events that require a greater than routine response; and Authorize utilize Fund Availability Notice process under the City's Master Contract with Hennepin County to execute the agreement.

POLICE DEPARTMENT (274645)

Police Investigative Database Access: Amend contract with West Publishing Services dba West Government Services to increase the amount by \$6,000 for a total of \$56,000 and to extend the contract through April 30, 2011 or as necessary to complete a Request for Proposals and contract process for a vendor; and Issue Request for Proposal upon approval by the Permanent Review Committee.

Operation NightCAP Grant: Execute 2011 Operation NightCAP Grant Agreement with the Minnesota Department of Public Safety to accept \$16,900 to pay overtime to Traffic Unit officers to increase enforcement targeting impaired drivers and increase driver safety; and Approve appropriation.

REGULATORY, ENERGY AND ENVIRONMENT:

REGULATORY SERVICES (274646)

Rental Dwelling License at 1637 Penn Av N: Staff recommendation to revoke the license held by Darrill B. Berry relating to conduct on licensed premises.

REGULATORY, ENERGY AND ENVIRONMENT (See Rep):

COORDINATOR (274647)

Citizens Environmental Advisory Committee: Approve Mayoral and City Council appointments/reappointments of Terrance Noble; Jamison Tessneer; Gretchen Camp; Michelle Stockness; Michelle Schroeder; Russ Henry; Darrell Gerber; Marty Broan; Sarah Sponheim; John Harkness; Brian Ross; Mark Snyder; Patty Selly; John Sylvester; Ross Abbey; and Annette Rondano.

LICENSES AND CONSUMER SERVICES (274648)

Licenses: Applications.

LICENSES AND CONSUMER SERVICES (274649)

Pat's Tap (3510 Nicollet Av): Approve Business License Operating Conditions relating to On-Sale Liquor Class C-2 with Sunday Sales License.

JC's Taste of Chicago (2117 W Broadway): Approve Business License Operating Conditions relating to Food Manufacturer License.

Chipotle Mexican Grill (200 S 6th St): Grant On-Sale Liquor Class E with Sunday Sales License. Dancing Ganesha Restaurant (1100 Harmon PI): Grant On-Sale Liquor Class B with Sunday Sales License.

Brass Rail (422 Hennepin Av): Approve License Settlement Conference recommendations relating to On-Sale Liquor Class A with Sunday Sales License.

REGULATORY SERVICES (274650)

Housing Board of Appeals: Approve appointment of David Fridgen to fill the unexpired term of Matt Knopp; and Approve appointment of Jorge Eduardo Grauvilardell as an alternate member.

Rental Dwelling License at 828 22nd Av NE: Approve reinstatement of license to be held by Pedro Livichuzca.

REGULATORY SERVICES (274651)

Rental Dwelling License at 1651 Penn Av N: Recommendation to revoke license held by Ronald Folger.

REGULATORY SERVICES (274652)

Rental Dwelling License at 718 Morgan Av N: Recommendation that the license not be revoked on the condition that all administrative fines, less \$1,000 for the 2010 portion, be paid.

REGULATORY SERVICES (274653)

Swimming Pool Code: Ordinance adding Minnesota Statute 144.1222 and Minnesota Rules parts 4717.0150 to 4717.3970 to comply with the Abigail Taylor Act related to pool safety.

Tobacco Licensing: Ordinance amending the definitions of tobacco, tobacco products, tobacco products shop and tobacco related devices; restricts free giveaways of novel tobacco products; prevents youth from buying new tobacco products and e-cigarettes; increases the penalty for the third underage tobacco sale violation in two years from \$600 to \$800; and increases the penalty for the fourth underage tobacco sale violation in two years from \$800 to \$1,600.

REGULATORY, ENERGY AND ENVIRONMENT and WAYS & MEANS/BUDGET (See Rep):

REGULATORY SERVICES (274654)

Food Safety/Security Training: Execute agreement with University of Minnesota Extension Center Office in Minneapolis to receive \$10,000 for community food safety education; and Approve appropriation.

TRANSPORTATION AND PUBLIC WORKS:

PUBLIC WORKS AND ENGINEERING (274655)

Bicycle Master Plan: Update.

Access Minneapolis: Downtown East-West Transit Spine: Draft plan. Stop Sign Installation at Uncontrolled Intersections Project: Update. On-Street Parking Meter System: Installation Progress Report.

TRANSPORTATION AND PUBLIC WORKS (See Rep):

PUBLIC WORKS AND ENGINEERING (274656)

Interstate 94 Rehabilitation Project (Nicollet Ave to Cretin Ave) State Project 2781-415: Municipal Consent Public Hearing.

Water Meter Reading Ordinance: Amend Title 19 Chapter 509 regarding water meter reading requirements.

Pedestrian Advisory Committee: Appointment of Philip Ailiff and Amy Loegering.

10th Ave SE Storm Tunnel Outlet Project: Temporary easement acquisitions.

Riverside Ave S Reconstruction Project (Cedar Ave to Franklin Ave): Layout; Comments.

TRANSPORTATION AND PUBLIC WORKS and WAYS & MEANS/BUDGET (See Rep):

PUBLIC WORKS AND ENGINEERING (274657)

Hiawatha Maintenance Facility: Knutson Construction Services, Inc contract amendment.

Non-Motorized Transportation Pilot Project: Amendment to agreement with Transit for Livable Communities.

Traffic Signal Retiming in Central Business District: Contract with Alliant Engineering, Inc.

Strategic Facilities Plan for Municipal Operations: Increase 2010 budget.

Plymouth Ave River Bridge: Amend agreement with Corven Engineering.

Management of Special Service Districts: Extend contract with Urban Works, Inc.

Traffic Operations and Bike Project Close-Outs: Reallocate excess bonds and revenue.

WAYS AND MEANS BUDGET:

COORDINATOR (274658)

Excess Sales & Use Tax Revenue Report.

FIRE DEPARTMENT (274659)

2010 Budget Status Report.

POLICE DEPARTMENT (274660)

2010 Budget Status Report.

WAYS AND MEANS BUDGET (See Rep):

ATTORNEY (274661)

Legal Settlements: a) Patrice Monique Sanford; b) Patrick Morin; c) Vincent King; and d) Angela Ann Johnson.

Confidential Reporting Line: Authorize execution of a SAS70 Report Confidential Agreement with The Network, Inc.

City Attorney's 2010 Remaining Budget Dollars: Finance department to allocate unspent balance from 2010 General Fund and Self Insurance Fund to fund two technology projects.

CITY CLERK (274662)

2011 Council Budget Guidelines: Adopt.

COMMUNICATIONS (274663)

January 2011 Utility Billing Insert: Your Utility Bill.

CONVENTION CENTER (274664)

Per Mar Security Services: Amend and renew contract C-23970 for the period January 1, 2011 through December 31, 2011 to provide crowd management event staffing services at the Minneapolis Convention Center.

CONVENTION CENTER and PROCUREMENT (274665)

OP #7364: Accept low bid of Egan Company to furnish and deliver mechanical work for the Minneapolis Convention Center fire proofing remediation project.

FINANCE DEPARTMENT (274666)

Time & Labor Project: Approve funding plan for the software implementation.

Financial Services Consultant Panel: Authorize execution of three-year Master Contract agreements with twenty-six vendors to provide financial and other consulting services to the City of Minneapolis.

Finance Department 2011 Budget Rollover: Authorize rollover of any unspent funds from 2010 one-time budget appropriation to the 2011 budget year for business process efficiencies in 2011.

FINANCE DEPARTMENT (274667)

Annual Property Insurance Premium for Minneapolis Convention Center, Tallmadge Building, and Parking Ramp: a) 2011 coverage; b) XL Insurance quote; and c) terrorism coverage.

HUMAN RESOURCES (274668)

Minneflex Plan and Health Reimbursement Arrangement Plan: Amend to comply with federal health care reform legislation and make certain clarifying changes.

Alternative Work Arrangement: Policy and Procedures.

Enterprise Performance Management System: Funding plan.

NEIGHBORHOOD AND COMMUNITY RELATIONS (274669)

Wireless Community Benefits: Approve additional application for FOCUS Minnesota.

WAYS AND MEANS BUDGET and ZONING AND PLANNING (See Rep):

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (274670)

Certified Local Government (CLG) Grant: Accept funds through Minnesota Historical Society to revise City's historic properties survey for the remainder of the City that has not yet been re-surveyed.

ZONING AND PLANNING (See Rep):

ARTS COMMISSION (274671)

Arts Commission appointments

HERITAGE PRESERVATION COMMISSION (274672)

Heritage Preservation Commisison appointments

PLANNING COMMISSION/DEPARTMENT (274673)

Interim Use Permit

First Covenant Church (810 7th StS)

Rezonings:

Applewood Pointe of Minneapolis at Northrop (1611 46th St E)

Balance Fitness Studio (2902, 2904, 2906 Garfield Ave S)

Zoning Code Text Amendment Relating to Birth Centers

MOTIONS:

ATTORNEY (274673.1)

Findings of Fact: Probation House (2539 Irving Ave N)

FILED:

CHARTER COMMISSION (274674)

Redistricting: a) Subcommittee timelines to develop proposed rules, and advisory group job description and application form; b) Possibility of redistricting in 2011.

CITY COUNCIL (274675)

Household Hazardous Waste (HHW) Facility: Request to appear before City Council to present concerns and a petition relating to proposed HHW facility in northeast Minneapolis.

MOZAIC PARTNERS, LLC (274676)

Vacate an utility easement that is Icoated in former Girard Ave S, Iocated between vacated West 29th Street and Lagoon Avenue.

The following reports were signed by Mayor Rybak on December 16, 2010, **unless noted otherwise.** Minnesota Statutes, Section 331A.01, Subd 10, allows for summary publication of ordinances and resolutions in the official newspaper of the city.

REPORTS OF STANDING COMMITTEES

The COMMITTEE OF THE WHOLE submitted the following reports:

Comm of the Whole - Your Committee, having under consideration the Community Participation Program Guidelines, now recommends the Guidelines presented to the committee and set forth in Petn No 274634 be approved with the following amendments:

Amending the following portions of section IV, C, to read as follows:

An organization not approved for funding may file an appeal with the <u>City Council NCEG</u>. Such an appeal must be received within thirty calendar days of the notice of the decision by

submitting it to the Neighborhood and Community Relations Department. The City Council NCEC may recommend to uphold the original decision or change the decision or request additional staff analysis. Recommendations of the NCEC to deny funding will be sent to City Council for final approval.

and

If an <u>neighborhood</u> organization is applying for <u>recognition and</u> first-time funding in a neighborhood that does not have an existing neighborhood organization, the <u>NCEC may</u> waiveing portions of the eligibility criteria in Section I.B. above to allow for funding of the new organization.

Adopted 12/10/2010.

Comm of the Whole - Your Committee recommends approval of the City of Minneapolis 2011 Legislative Agenda regarding Local Government Finance, Capital Bonding, Public Safety, Pension Sustainability, Transportation, Affordable Housing and Homelessness Prevention, Municipal Governance, City Livability, Environment and Jobs and Economic Development, as set forth and described in Petn No 274632.

Glidden moved to amend the City Livability, Youth Violence Prevention section of the Petition by striking the following language:

"Seek legislative action to create a statewide 3-year pilot project granting all county child mortality review panels the option to expand their scope to conduct juvenile and young adult (24 and younger) mortality review for deaths resulting from peer to peer violence." Seconded.

Adopted upon a voice vote.

The report, as amended, was adopted 12/10/2010.

Lilligren moved to suspend City Council Rule 4 requiring a Committee of the Whole recommendation to be presented to the Council at its meeting in the next Council cycle so as to consider the Metropolitan Sports Facilities Commission appointments. Seconded.

Adopted 12/10/2010.

Absent - Hofstede.

VETOED BY THE MAYOR

Comm of the Whole - Your Committee, having under consideration applications for three City Council appointments to the Metropolitan Sports Facilities Commission, for terms beginning January 4, 2011 through January 5, 2015, now recommends approval of the appointments of the following applicants:

- a) Timothy Baylor
- b) Paul Rexford Thatcher, Sr. (reappointment)
- c) Charles T. Lutz (reappointment).

Adopted 12/10/2010. Yeas, 12; Nays, 1 as follows:

Yeas - Reich, Hofstede, Schiff, Lilligren, Colvin Roy, Tuthill, Quincy, Glidden, Goodman, Hodges, Samuels, Johnson.

Nays - Gordon.

Vetoed 12/16/2010. R.T. Rybak, Mayor.

Attest: Casey Joe Carl, City Clerk.

(See "Unfinished Business-Consideration of Veto by the Mayor" next meeting 12/17/2010)

The COMMUNITY DEVELOPMENT Committee submitted the following reports:

Comm Dev – Your Committee, having under consideration the Minneapolis Economic Recovery Strategy and the request for the issuance of revenue bonds on behalf of Catholic Charities to finance a shelter facility known as the J. Jerome Boxleitner Project at 165 Glenwood Ave N, now recommends passage of the accompanying resolution giving preliminary and final approval to the issuance of up to

\$7,000,000 in Tax-exempt 501(c)(3) Bank Qualified Bank Direct Minneapolis Community Development Agency (MCDA) Revenue Bonds, Series 2010, for said project.

Your Committee further recommends that the subject matter be forwarded to the MCDA Board of Commissioners.

Adopted 12/10/2010. Approved by Mayor Rybak 12/10/2010. (Published 12/14/2010)

Resolution 2010R-571, giving preliminary and final approval to and authorizing the financing of a project on behalf of Catholic Charities of the Archdiocese of Saint Paul and Minneapolis, a Minnesota nonprofit corporation at 165 Glenwood Ave N, and approving the issuance of revenue notes or bonds of the Minneapolis Community Development Agency therefore, was adopted 12/10/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2010R-571 By Goodman

Giving preliminary and final approval to and authorizing the financing of a project on behalf of Catholic Charities of the Archdiocese of Saint Paul and Minneapolis, a Minnesota nonprofit corporation (the "Borrower"), and approving the issuance of revenue notes or bonds of the Minneapolis Community Development Agency therefor.

Whereas, pursuant to Laws of Minnesota 1980, Chapter 595, as amended ("Chapter 595"), the City Council of the City of Minneapolis, Minnesota (the "City") established the Minneapolis Community Development Agency (the "Agency") and granted certain powers and duties to the Agency; and

Whereas, pursuant to such granted powers, the Agency has been authorized to issue revenue obligations for various purposes; and

Whereas, it has been proposed that the Agency issue revenue notes or bonds in one or more series in an aggregate amount not to exceed \$7,000,000 (the "Bonds") by the Borrower to finance (i) the acquiring, constructing and equipping of the first two floors of a seven story building to be used to provide approximately 251 shelter beds for homeless individuals to be located at 165 Glenwood Avenue in the City and (ii) the refunding of the City's Variable Rate Seven Day Demand Revenue Bonds (Catholic Charities Project) Series 1996 (the "Project"); and

Whereas, the property included in the Project is owned by the Borrower, which is a Minnesota corporation; and

Whereas, the Agency expects to give final approval to the issuance of the Bonds by a resolution to be adopted on the date hereof; and

Whereas, the Bonds shall bear interest at variable rates of interest and/or fixed interest rates, shall have final maturity dates, and shall have such other terms as required or permitted by the Agency's resolution, which terms are to be incorporated herein by reference;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City Council hereby gives preliminary and final approval to the issuance by the Agency of the Bonds in a principal amount not to exceed \$7,000,000 for the purpose of financing the Project.

Be It Further Resolved that the Bonds are hereby designated as "Program Bonds" and are determined to be within the "Economic Development Program" and the "Program," all as defined in Resolution 88R-021 of the City adopted January 29, 1988, and as amended by Resolution 97R-402 of the City adopted December 12, 1997.

Adopted 12/10/2010.

Approved by Mayor Rybak 12/10/2010.

Comm Dev - Your Committee, having under consideration property located at 1111 - 30th Ave N, now recommends passage of the accompanying resolutions:

- a) Approving the subdivision of the lot which will return each property to its original underlying plat;
- b) Authorizing sale of part of the property at 1111 30th Ave N to Sonia Figueroa for \$500.00, subject to the following conditions:
 - 1) Land sale closing must occur on or before 90 days from date of City Council approval;
- 2) Payment of holding costs of \$300.00 per month (or portion thereof) from the date of City Council approval to the date of closing if land sale closing does not occur on or before the closing deadline.
- c) Authorizing sale of part of the property at 1111 30th Ave N to Mike Nehmzow for \$100.00, subject to the following conditions:
 - 1) Land sale closing must occur on or before 90 days from date of City Council approval;
- 2) Payment of holding costs of \$300.00 per month (or portion thereof) from the date of City Council approval to the date of closing if land sale closing does not occur on or before the closing deadline.

The sale conditions may be waived or amended with the approval of the Director of the Department of Community Planning & Economic Development.

Adopted 12/10/2010.

Resolution 2010R-572, approving the subdivision of a lot at 1111 - 30th Ave N, was adopted 12/10/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2010R-572 By Goodman

Approving the subdivision of a lot at 1111 - 30th Avenue North.

Whereas, the City of Minneapolis' Department of Community Planning and Economic Development (CPED) has requested that a parcel of land located at 1111 30th Avenue North and legally described as commencing 95 feet West from the Northeast corner of Lot 1, thence West to the Northwest corner of Lot 1, thence South 65 feet, thence East to a point 95 feet West from the East line of Lot 2, thence North 65 feet to beginning, Block 16, Silver Lake Addition to Minneapolis, be subdivided as follows:

Parcel TF-761A: Lot 1, Block 16, Silver Lake Addition to Minneapolis, except for the Easterly 95 feet thereof, Hennepin County, Minnesota;

Parcel TF-761B: Lot 2, Block 16, Silver Lake Addition to Minneapolis, except for that part of Lot 2, Block 16, described as beginning at a point on the west line of said Lot 2 distant 65 feet southerly of the northwest corner of Lot 1 in said Block 16, thence easterly parallel with the north line of said Lot 1 to a point distant 95 feet westerly of the east line of said lot 2; thence northerly parallel with the west line of said Lot 2 to the north line thereof; thence easterly to the Northeast corner of said Lot 2; thence southerly to the Southeast corner thereof; thence westerly to the Southwest corner thereof; thence northerly to the point of beginning, Hennepin County, Minnesota; and

Whereas, the City of Minneapolis intends to convey the subdivided parcels listed above to the owners of the adjacent properties with the following parcels:

PARCEL TF-761A; 2951 Dupont Avenue North: The Easterly 95 feet of Lot 1, Block 16, Silver Lake Addition to Minneapolis;

PARCEL TF-761B; 2945 Dupont Avenue North: That part of Lot 2, Block 16, described as beginning at a point on the west line of said Lot 2 distant 65 feet southerly of the northwest corner of Lot 1 in said Block 16, thence easterly parallel with the north line of said Lot 1 to a point distant 95 feet westerly of the east line of said Lot 2; thence northerly parallel with the west line of said Lot 2 to the north line thereof; thence easterly to the Northeast corner of said Lot 2; thence southerly to the

Southeast corner thereof; thence westerly to the Southwest corner thereof; thence northerly to the point of beginning, Silver Lake Addition to Minneapolis; and

Whereas, the proposed subdivision conforms with Minnesota Statutes Section 462.358 and Land Subdivision Regulations adopted by the Minneapolis City Council on July 14, 1995; and

Whereas, pursuant to due notice thereof published in Finance and Commerce on November 19, 2010, a public hearing on said subdivision and proposed sale was duly held in a meeting of the Community Development Committee of the City Council at 1:30 p.m., November 30, 2010, in Room 317, Minneapolis City Hall, 350 South 5th Street, in the City of Minneapolis, County of Hennepin, State of Minnesota;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the division of the above described property be approved and the requirement of a subdivision plat be waived.

Be It Further Resolved that a certified copy of this resolution shall be attached to the deeds conveying the subdivided parcels.

Adopted 12/10/2010.

Resolution 2010R-573, authorizing sale of land Disposition Parcel No TF-761A at 1111 - 30th Ave N (part), was adopted 12/10/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2010R-573 By Goodman

Authorizing sale of land Disposition Parcel No TF-761A at 1111 - 30th Ave N (part).

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase the Disposition Parcel TF-761A, in the Hawthorne Neighborhood, from Sonia Figueroa, hereinafter known as the Purchaser, the Parcel TF-761A, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

LEGAL DESCRIPTION of TF-761A; 1111 30th Avenue North (part): Lot 1, Block 16, Silver Lake Addition to Minneapolis, except for the Easterly 95 feet thereof, Hennepin County, Minnesota; and

Whereas, the Purchaser has offered to pay the sum of \$500, for Parcel TF-761A, to the City for the land; and

Whereas, the Purchaser has submitted to the City a statement of financial responsibility and qualifications; and

Whereas, on March 11, 2005, City Council approved the waiving of the Planning Commission's review of certain real estate transactions (including dispositions of non-buildable parcels) that have no relationship to the City's Comprehensive Plan; and

Whereas, the City has determined the offer of \$500 to purchase the Parcel to be reasonable; and Whereas, the City has had the re-use value reviewed by an appraisal expert, stating that the re-use value opinion is consistent with the City's accepted methods in determining a re-use value for the Parcel; and

Whereas, the City's Real Estate Disposition Policy provided in Section 2.2.13 for the sale of land for sideyard; and

Whereas, pursuant to due notice thereof published in *Finance and Commerce* on November 19, 2010, a public hearing on said proposal and proposed sale and the provisions thereof, was duly held on November 30, 2010, at the Minneapolis City Hall, 350 South 5th Street, Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the re-use value for the Parcel TF-761A is hereby estimated to be the sum of \$500.

Be It Further Resolved that the acceptance of the offer and Purchaser's proposal is hereby determined to be in accordance with the City's approved disposition policy and it is further determined

that the Purchaser possesses the qualifications and financial resources necessary to acquire and maintain the Parcel in accordance with the contract for the sale of land.

Be It Further Resolved that the proposal be and the same is hereby accepted, subject to the execution of a contract for the sale of land and further subject to the following conditions; 1) land sale closing must occur on or before 90 days from the date this Resolution is approved by the City and 2) payment of holding costs of \$300.00 per month (or portion thereof) if the land sale closing does not occur on or before the closing deadline.

Be It Further Resolved that the sale conditions described above may be waived or amended with the approval of the Department of Community Planning and Economic Development Director.

Be It Further Resolved that upon publication of this Resolution, the Finance Officer or other appropriate official of the City be and the same is hereby authorized to execute and deliver the contract to the Redeveloper; provided, however, that this Resolution does not constitute such a contract and no such contract shall be created until executed by the Finance Officer or other appropriate official of the City.

Be It Further Resolved that the Finance Officer or other appropriate official of the City is hereby authorized to execute and deliver a conveyance of the land to the Redeveloper in accordance with the provisions of the executed contract and upon payment to the City for the purchase price thereof; provided, however, that this Resolution does not constitute such a conveyance and no such conveyance shall be created until executed and delivered by the Finance Officer or other appropriate City official of the City.

Adopted 12/10/2010.

Resolution 2010R-574, authorizing sale of land Disposition Parcel No TF-761B at 1111-30th Ave N (part), was adopted 12/10/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2010R-574 By Goodman

Authorizing sale of land Disposition Parcel No TF-761B at 1111-30th Ave N (part).

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase the Disposition Parcel TF-761B, in the Hawthorne Neighborhood, from Mike Nehmzow, hereinafter known as the Purchaser, the Parcel TF-761B, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

LEGAL DESCRIPTION of TF-761B; 1111 30th Avenue North (part): Lot 2, Block 16, Silver Lake Addition to Minneapolis, except for that part of Lot 2, Block 16, described as beginning at a point on the west line of said Lot 2 distant 65 feet southerly of the northwest corner of Lot 1 in said Block 16, thence easterly parallel with the north line of said Lot 1 to a point distant 95 feet westerly of the east line of said lot 2; thence northerly parallel with the west line of said Lot 2 to the north line thereof; thence easterly to the Northeast corner of said Lot 2; thence southerly to the Southeast corner thereof; thence westerly to the Southwest corner thereof; thence northerly to the point of beginning, Hennepin County, Minnesota; and

Whereas, the Purchaser has offered to pay the sum of \$100, for Parcel TF-761B, to the City for the land; and

Whereas, the Purchaser has submitted to the City a statement of financial responsibility and qualifications; and

Whereas, on March 11, 2005, City Council approved the waiving of the Planning Commission's review of certain real estate transactions (including dispositions of non-buildable parcels) that have no relationship to the City's Comprehensive Plan; and

Whereas, the City has determined the offer of \$100 to purchase the Parcel to be reasonable; and Whereas, the City has had the re-use value reviewed by an appraisal expert, stating that the re-use value opinion is consistent with the City's accepted methods in determining a re-use value for the Parcel; and

Whereas, the City's Real Estate Disposition Policy provided in Section 2.2.13 for the sale of land for sideyard; and

Whereas, pursuant to due notice thereof published in *Finance and Commerce* on November 19, 2010, a public hearing on said proposal and proposed sale and the provisions thereof, was duly held on November 30, 2010, at the Minneapolis City Hall, 350 South 5th Street, Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the re-use value for the Parcel TF-761B is hereby estimated to be the sum of \$100.

Be It Further Resolved that the acceptance of the offer and Purchaser's proposal is hereby determined to be in accordance with the City's approved disposition policy and it is further determined that the Purchaser possesses the qualifications and financial resources necessary to acquire and maintain the Parcel in accordance with the contract for the sale of land.

Be It Further Resolved that the proposal be and the same is hereby accepted, subject to the execution of a contract for the sale of land and further subject to the following conditions; 1) land sale closing must occur on or before 90 days from the date this Resolution is approved by the City and 2) payment of holding costs of \$300.00 per month (or portion thereof) if the land sale closing does not occur on or before the closing deadline.

Be It Further Resolved that the sale conditions described above may be waived or amended with the approval of the Department of Community Planning and Economic Development Director.

Be It Further Resolved that upon publication of this Resolution, the Finance Officer or other appropriate official of the City be and the same is hereby authorized to execute and deliver the contract to the Redeveloper; provided, however, that this Resolution does not constitute such a contract and no such contract shall be created until executed by the Finance Officer or other appropriate official of the City.

Be It Further Resolved that the Finance Officer or other appropriate official of the City is hereby authorized to execute and deliver a conveyance of the land to the Redeveloper in accordance with the provisions of the executed contract and upon payment to the City for the purchase price thereof; provided, however, that this Resolution does not constitute such a conveyance and no such conveyance shall be created until executed and delivered by the Finance Officer or other appropriate City official of the City.

Adopted 12/10/2010.

Comm Dev - Your Committee, having under consideration adoption of the Metropolitan Council Livable Communities Act-Housing Action Plan to allow the City of Minneapolis to continue participation in the Livable Communities programs of the Metropolitan Council, now recommends adoption of said plan, as set forth in the Department of Community Planning & Economic Development staff report. Adopted 12/10/2010.

Comm Dev - Your Committee, having under consideration a proposed change in development entity and project for the Longfellow Station proposal at 3815 Hiawatha Ave S, now recommends approval of the following recommendations:

- a) Consent to the assignment to and assumption by Sherman Associates Inc. or an affiliate of the existing agreements between City and Longfellow Station I, LLC, Longfellow Housing Limited Partnership and/or Capital Growth Real Estate LLC, including without limitation, the HLAF Site Acquisition Agreement, the DEED, LCDA, and TBRA Funding Agreements, as amended, the Escrow and Disbursing Agreement, the AHTF Loan Agreement, the Section 106 Memorandum of Agreement, the Redevelopment Contract and related collateral and security agreements;
- b) Execution of amendments to the existing agreements or amended and restated agreements reflecting the project and timeline revisions described in the Department of Community Planning & Economic Development (CPED) staff report; and

c) Execution of such other documents and agreements as are necessary to implement the project. Adopted 12/10/2010.

Comm Dev - Your Committee recommends passage of the accompanying resolution authorizing the Hennepin County Housing & Redevelopment Authority to conduct business within the City of Minneapolis for the purpose of acting as a pass through on properties to be identified for a pilot program working with the City of Lakes Community Land Trust (CLCLT) and Hennepin County Sentence to Service Program (STS).

Adopted 12/10/2010.

Resolution 2010R-575, authorizing the Hennepin County Housing & Redevelopment Authority to conduct business within the City of Minneapolis for the purpose of acting as a pass through on properties to be identified for a pilot program working with the City of Lakes Community Land Trust and Hennepin County Sentence to Service Program, was adopted 12/10/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2010R-575 By Goodman

Approving the acquisition and sale of tax-forfeited land.

Whereas, the Hennepin County Housing and Redevelopment Authority (HRA) proposes to purchase tax-forfeited land located within the City of Minneapolis, Minnesota, and convey said land to City of Lakes Community Land Trust for the development of affordable single family housing until the \$150,000 of AHIF funds provided by the HRA are fully expended (the "Project"); and

Whereas, Minnesota Statutes, Section 383B.77, Subd 3, and 469.005 requires that this City Council must approve a project undertaken by the Hennepin County Housing and Redevelopment Authority before such a project may be undertaken within this City; and

Whereas, it is deemed in the best interest of this community to approve the Hennepin County Housing and Redevelopment Authority's implementation of the Project as an approved project;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That pursuant to Minnesota Statutes, Section 383B.77, Subd 3, and 469.005 the City Council approves the Project and approves of the Project assistance to be provided by the Hennepin County Housing and Redevelopment Authority to facilitate the acquisition and redevelopment of the subject properties, subject to the following requirements: That this City retains its jurisdiction over all issues of local concern relating to zoning, land usage, building code requirements and compliance with all applicable city codes and ordinances.

Adopted 12/10/2010.

Comm Dev - Your Committee, having under consideration an extension of development rights and committed financing for the proposed Riverview Apartments Senior Housing development proposed by the Community Development Collaborative, LLC for the vicinity of 54th St and Hiawatha Ave, now recommends that Department of Community Planning & Economic Development staff be authorized to execute the necessary agreements to extend the development rights and financing for said development to close on or before December 31, 2011, with the condition that this will be the only extension granted for development rights and financing.

The COMMUNITY DEVELOPMENT and WAYS & MEANS/BUDGET Committees submitted the following reports:

Comm Dev & W&M/Budget - Your Committee, having under consideration a change in the scope of services for the contract with the Twin Cities Community Land Bank Agreement under Minneapolis Neighborhood Stabilization Program 2 (NSP2) (approved 4/16/2010), now recommends that the proper City officers be authorized to execute a new contract for acquisition intermediary services in support of NSP2 activities between the Twin Cities Community Land Bank LLC, a Minnesota nonprofit limited liability company, and the City of Minneapolis under the NSP2 of the U.S. Department of Housing and Urban Development, as set forth in the Department of Community Planning & Economic Development staff report.

Adopted 12/10/2010.

Comm Dev & W&M/Budget - Your Committee recommends passage of the accompanying resolution authorizing the carryforward of \$42,635,000 of unused 2010 Tax-exempt Housing Revenue Bond Entitlement for multifamily housing programs.

Adopted 12/10/2010.

Resolution 2010R-576, authorizing carryforward of Unused Private Activity Bond Volume Cap, was adopted 12/10/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2010R-576 By Goodman and Hodges

Authorizing Carryforward of Unused Private Activity Bond Volume Cap.

Whereas, the City of Minneapolis, Minnesota (the "City") is an "entitlement issuer" within the meaning of Minnesota Statutes, Section 474A.02, subd. 7; and

Whereas, the City's entitlement allocation of private activity bond volume cap for 2010 under Minnesota Statutes, Chapter 474A.03, subd. 2a is \$42,635,000; and

Whereas, the City does not expect to issue any private activity bonds in 2010 allocable to its entitlement allocation; and

Whereas, the City may, under § 146(f) of the Internal Revenue Code of 1986, as amended, and under Minnesota Statutes, Chapter 474A, "carryforward" all or a portion of the City's unused entitlement allocation; and

Whereas, it is in the best interest of the public health, safety and welfare that the City carryforward for qualified carryforward purposes its 2010 entitlement allocation remaining unused on December 31, 2010; Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That The City hereby elects to carryforward all of its 2010 entitlement allocation for qualified residential rental bonds.

Be It Further Resolved that the Director of the Department of Community Planning and Economic Development is hereby authorized and directed to execute and cause to be filed with the Internal Revenue Service a Form 8328 specifying the amount of 2010 entitlement allocation to be carried forward as described above. The Form 8328 shall be filed with the Internal Revenue Service on or before February 15, 2011. The Director is further authorized to notify the Minnesota Department of Finance of such carryforward at such time and as required by Minnesota Statutes, Chapter 474A.

Adopted 12/10/2010.

Comm Dev & W&M/Budget - Your Committee, having under consideration amendments to terms of the Energy Efficiency Business Loan and Grant Program (approved 8/23/2009), now recommends approval of the following amendments designed to make the program more attractive to City of Minneapolis business owners:

- a) Decrease the interest rate from fixed 3.9% to between 0 and 3.9%;
- b) Increase the amount of rebate from 10% to 20%, with a maximum remaining at \$5,000. The rebate would be paid back as a monthly markdown on loan payments, and;
- c) Increase possible loan term from 5 years to up to 10 years depending on the payback of the efficiency upgrades.

Adopted 12/10/2010.

Comm Dev & W&M/Budget - Your Committee, having under consideration the Great Streets Neighborhood Business District program, now recommends approval of the Department of Community Planning & Economic Development (CPED) staff recommendation to approve a one percent loan origination fee for Great Streets Real Estate Development Gap Financing Loans and to adopt the underwriting guidelines for said loans, as set forth in the CPED staff report.

Adopted 12/10/2010.

The PUBLIC SAFETY & HEALTH Committee submitted the following report:

PS&H – Your Committee recommends that the proper officers of the Police Department be authorized to pay \$15,000 to the Greater Minneapolis Council of Churches (GMCC) in support of the Community Justice Program for 2010.

Adopted 12/10/2010.

The PUBLIC SAFETY & HEALTH and REGULATORY, ENERGY & ENVIRONMENT Committees submitted the following report:

PS&H & RE&E – Your Committee, to whom was referred an ordinance amending Title 9, Chapter 173 of the Minneapolis Code of Ordinances relating to *Fire and Police Protection: Fire*, amending provisions to effectuate the transfer of non-sworn fire prevention bureau staff to the Department of Regulatory Services, now recommends that said ordinance be given its second reading for amendment and passage.

Adopted 12/10/2010.

Ordinance 2010-Or-099 amending Title 9, Chapter 173 of the Minneapolis Code of Ordinances relating to *Fire and Police Protection: Fire*, amending Sections 173.300, 173.310, 173.400, 173.510 and 173.515 to amend provisions to effectuate the transfer of non-sworn fire prevention bureau staff to the Department of Regulatory Services, was adopted 12/10/2010 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2010-Or-099
By Glidden & Samuels
Intro & 1st Reading: 11/5/2010
Ref to: RE&E
2nd Reading: 12/10/2010

Amending Title 9, Chapter 173 of the Minneapolis Code of Ordinances relating to Fire and Police Protection: Fire.

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That Section 173.300 of the above-entitled ordinance be amended to read as follows: 173.300. Orders to secure compliance with fire prevention code authorized. The chief of the fire department or his and the director of regulatory services, as well as their authorized inspectors or assistants, are hereby given authority to order and compel compliance with the regulations contained in the fire prevention code and order any condition removed or remedied in such manner as to secure

such compliance. The foregoing authority shall be in addition to any other provisions of this Code of Ordinances.

Section 2. That Section 173.310 of the above-entitled ordinance be amended to read as follows: 173.310. Service of orders. The service of any orders as provided for in this chapter title or in the fire prevention code shall be directed to the owner, agent, lessee or occupant or person responsible for the condition to be removed or remedied by delivering or mailing a copy of same to such person or by delivering it to and leaving it with any person in charge of the premises. Such orders may be issued by any authorized representative of the chief of the fire department or the fire marshal or by the director of regulatory services or the director's authorized representatives. All such orders shall be issued in the name of, and pursuant to the authority and ratification of, the chief of the fire department or the fire marshal. Service upon a nonresident shall be made in accordance with the provisions of section 14.20 of this Code.

Section 3. That Section 173.400 of the above-entitled ordinance be amended to read as follows: **173.400.** Bureau to enforce. The fire prevention code shall be enforced by the bureau of fire prevention in the fire department.

Section 4. That Section 173.510 of the above-entitled ordinance be amended to read as follows: 173.510. Established; management and personnel. There shall be a bureau of fire prevention in the fire department of the city under the jurisdiction of the chief of the fire department <u>and the director</u> of regulatory services and to include the office and staff of the fire marshal and the authorized representatives, inspectors and agents of the director of regulatory services. The fire marshal shall act as chief of the bureau of fire prevention, who supervise all sworn employees of the fire department assigned to the bureau and shall retain final authority over fire prevention code interpretation. The fire marshal shall hold such office at the pleasure of the chief of the fire department. The chief of the fire department may, from time to time, designate such and as many sworn employees as assistants as the chief of the fire department deems necessary for the proper performance of the functions and duties of the bureau fire marshal. The fire marshal shall have full management and control of all things pertaining to sworn fire department employees of the bureau, and all subordinate officers, assistants, clerks and employees of the bureau shall be subject to such rules and regulations as shall be prescribed from time to time by the fire marshal and approved by the chief of the fire department. The director of regulatory services shall have full management and control of all non-sworn representatives, inspectors and agents of the bureau, subject to the fire marshal's final authority over matters of fire prevention code interpretation.

Section 5. That Section 173.515 of the above-entitled ordinance be amended to read as follows: 173.515. Definitions. Fire marshal For purposes of enforcement of any provisions of the fire prevention code and this title, "fire marshal" is defined as the fire marshal of the City of Minneapolis, or any of the fire marshal's designees, from either the sworn or civilian service of the fire department, or the director of regulatory services, the director of inspections, or any of the directors' authorized representatives, inspectors or agents charged with the administration or enforcement of the Minnesota State Fire Code for the City of Minneapolis. The fire marshal's designees may include any sworn member of the Minneapolis Fire Department, regardless of rank or assignment.

Adopted 12/10/2010.

PS&H & W&M/Budget – Your Committee recommends that the proper City officers be authorized to execute Master Contracts for the period January 1, 2011 through December 31, 2015 with the following Eligible Providers List of community agencies and governmental and political subdivision entities:

Eligible Providers List/Master Contract Amounts

Community Agencies	Dollars per Master Contract
African Community Services	\$250,000
AGAPE 24-Hour Child Development Centers	250,000
Asian Media Access	250,000

Governmental Organizations/Political Subdivisions Youth Coordinating Board	\$5,000,000
rounicane (rounino cultura Appreciation & Racial Equality)	250,000
YouthCARE (Youth for Cultural Appreciation & Racial Equality)	250,000
YMCA of Metropolitan Minneapolis	250,000
Way to Grow	3,000,000
Urban Ventures Leadership Foundation	250,000
Tubman	250,000
Touchstone Mental Health	250,000
The Link	1,500,000
The Family Partnership	250,000
The City, Inc.	250,000
Sustainable Resources Center, Inc.	500,000
St. Stephen's Human Services, Inc.	250,000
Southside Community Health Services, Inc.	250,000
Southeast Seniors, A Living at Home/Block Nurse Program	250,000
Somali Success School	250,000
Sabathani Community Center, Inc.	250,000
Resource, Inc.	250,000
Plymouth Christian Youth Center	250,000
Planned Parenthood Minnesota, North Dakota, South Dakota	250,000
Pillsbury United Communities	300,000
People Incorporated	250,000
Park Avenue Youth & Family Services	250,000
Parents in Community Action	250,000
Nokomis Healthy Seniors	250,000
Neighborhood HealthSource	500,000
Neighborhood Health Care Network	5,000,000
Native American Community Clinic (NACC)	250,000
Minnesota Visiting Nurse Agency	10,000,000
Minnesota Transitions Charter School	250,000
Minnesota Aids Project	250,000
Minneapolis Urban League	500,000
Lutheran Social Service of Minnesota	250,000
Longfellow/Seward Healthy Seniors	250,000
Life Long Mentoring Services, Inc.	250,000
LAO Assistance Center of Minnesota	250,000
Kinship of Greater Minneapolis	250,000
Jewish Family and Children's Service	250,000
Greater Minneapolis Council of Churches & Division of Indian Work	750,000
Genesis II for Families	250,000
Freeport West	250,000
Emerge Community Development (aka EMERGE)	250,000
Domestic Abuse Project (DAP)	500,000
Conflict Resolution Center	250,000
Comunidades Latinas Unidas En Servicio (CLUES)	250,000
Children's Dental Services, Inc.	600,000
Centro Cultural Chicano, Inc.	350,000
Cedar Riverside People's Center, Inc.	250,000
Catholic Charities The Archdiocese of Saint Paul and Minneapolis	250,000
CAPIUSA	250,000

Your Committee further recommends that staff be authorized to issue Fund Availability Notices when project funds become available, as long as the total amount of the Master Contract is not exceeded.

Adopted 12/10/2010.

PS&H & W&M/Budget – Your Committee recommends that the proper City officers be authorized to enter into end-use license agreements with other jurisdictions and health and human services agencies for use of the "Multicultural Storytelling: A New Process for Community Engagement Toolkit" on an ongoing basis. The toolkit shall include three teaching modules; sample DVD-Minneapolis Multicultural Health Storytelling Project; viewing guide; sample PowerPoint presentation; pre and post-storytelling event checklists; and a feedback form.

Your Committee further recommends that revenue received under the agreements be designated as program income for the state Local Public Health funds under fund/dept 01600-8600130. Adopted 12/10/2010.

PS&H & W&M/Budget – Your Committee recommends that the proper City officers be authorized to execute a contract with the University of Minnesota to accept \$17,383 for conducting a community needs assessment related to prenatal and postpartum depression and other mental distress and to develop a model of community based services. Further, passage of the accompanying resolution appropriating \$17,383 to the Department of Health & Family Support.

Adopted 12/10/2010.

RESOLUTION 2010R-577 By Samuels and Hodges

Amending The 2010 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation for the Department of Health & Family Support Agency in the Grants – Federal Fund (01300-8600140) by \$17,383 and increasing the Revenue Source (01300-8600140-321007) by \$17,383.

Adopted 12/10/2010.

PS&H & W&M/Budget – Your Committee recommends that the proper City officers be authorized to execute a contract with Hennepin County to accept \$151,686 from a federal Teen Pregnancy Prevention grant to implement and evaluate a clinic based teen pregnancy prevention intervention "It's your future – Safer Sex Program" at six school based clinic sites. Further, passage of the accompanying resolution appropriating \$151,686 to the Department of Health & Family Support. Adopted 12/10/2010.

RESOLUTION 2010R-578 By Samuels and Hodges

Amending The 2010 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation for the Department of Health & Family Support Agency in the Grants – Federal Fund (01300-8600152) by \$151,686 and increasing the Revenue Source (01300-8600152-321007) by \$151,686.

PS&H & W&M/Budget – Your Committee recommends that the proper City officers be authorized to execute Amendment #3 to Contract C-21915 with Lifetime Fitness to extend the health club membership contract for sworn personnel for a three-month period ending March 31, 2011 at the current rates.

Adopted 12/10/2010.

PS&H & W&M/Budget – Your Committee recommends that the proper City officers be authorized to amend the contract with West Publishing Services dba West Government Services to increase the amount by \$6,000, for a total amount of \$56,000, and to extend the contract period through April 30, 2011 or as necessary to complete a Request for Proposal and contract process for a vendor for investigative database services for the Police Department. Further, that a Request for Proposal be issued upon approval by the Permanent Review Committee.

Adopted 12/10/2010.

PS&H & W&M/Budget – Your Committee recommends that the proper City officers be authorized to execute the 2011 *Operation NightCAP* grant agreement with the Minnesota Department of Public Safety, State Patrol Division, to accept \$16,900 to pay overtime to Traffic Unit officers to increase enforcement targeting impaired drivers and increase driver safety. Further, passage of the accompanying resolution appropriating \$16,900 to the Police Department.

Adopted 12/10/2010.

RESOLUTION 2010R-579 By Samuels and Hodges

Amending The 2010 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation for the Police Department Agency in the Grants – Federal Fund (01300-4002735) by \$16,900 and increasing the Revenue Source (01300-4002735-321012) by \$16,900.

Adopted 12/10/2010.

PS&H & W&M/Budget – Your Committee recommends that the proper City officers be authorized to accept reimbursement, in the amount of \$19,914.87, for urban search and rescue training as a participating member of the State of Minnesota's Task Force One Team. Further, passage of the accompanying resolution appropriating \$19,914.87 to the Fire Department.

Adopted 12/10/2010.

RESOLUTION 2010R-580 By Samuels and Hodges

Amending The 2010 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation for the Fire Department Agency in the Grants – Federal Fund (01300-2800700) by \$19,914.87 and increasing the Revenue Source (01300-2800700-321015) by \$19,914.87.

Adopted 12/10/2010.

PS&H & W&M/Budget – Your Committee recommends that the proper City officers be authorized to execute an agreement with Hennepin County on the City and County Human Services and Public Health Response Roles and Responsibilities for biological incidents that require a greater than routine response. Further, that the Fund Availability Notice process be utilized under the City's Master Contract with Hennepin County to execute this agreement.

The REGULATORY, ENERGY & ENVIRONMENT Committee submitted the following reports:

RE&E - Your Committee, to whom was referred an ordinance amending Title 11, Chapter 231 of the Minneapolis Code of Ordinances relating to *Health and Sanitation: Public Swimming Pool Code*, adding Minnesota Statute 144.1222 and Minnesota Rules parts 4717.0150 to 4717.3970 to comply with the Abigail Taylor Act related to pool safety, now recommends that said ordinance be given its second reading for amendment and passage.

Adopted 12/10/2010.

Ordinance 2010-Or-100 amending Title 11, Chapter 231 of the Minneapolis Code of Ordinances relating to *Health and Sanitation: Public Swimming Pool Code*, amending Section 231.30 to add Minnesota Statute 144.1222 and Minnesota Rules parts 4717.0150 to 4717.3970 to comply with the Abigail Taylor Act related to pool safety, was adopted 12/10/2010 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2010-Or-100
By Glidden
Intro & 1st Reading: 11/5/2010
Ref to: RE&E
2nd Reading: 12/10/2010

Amending Title 11, Chapter 231 of the Minneapolis Code of Ordinances relating to Health and Sanitation: Public Swimming Pool Code.

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That Section 231.30 of the Minneapolis Code of Ordinances be amended to read as follows.

231.30. State rules and statutes incorporated. Minnesota Rules, Chapter 4717, parts 4717.0100 through 4717.0400, parts 4717.0500 through 4717.1700, parts 4717.1800 through 4717.3600, parts 4717.3675 through 4717.3965 4717.3970, and amendments thereto, are hereby adopted by reference and are incorporated in this title as fully as if set forth herein. Minnesota Statute §144.1222, and subsequent updates, are made part of this chapter as if fully set forth herein.

Adopted 12/10/2010.

RE&E - Your Committee, to whom was referred an ordinance amending Title 13, Chapter 281 of the Minneapolis Code of Ordinances relating to *Licenses and Business Regulations: Tobacco Dealers*, amending the definitions of tobacco, tobacco products, tobacco products shop and tobacco related devices; restricts free giveaways of novel tobacco products; prevents youth from buying new tobacco products and e-cigarettes; increases the penalty for the third underage tobacco sale violation in two years from \$600 to \$800; and increases the penalty for the fourth underage tobacco sale violation in two years from \$800 to \$1,600, now recommends that said ordinance be given its second reading for amendment and passage.

Adopted 12/10/2010.

Ordinance 2010-Or-101 amending Title 13, Chapter 281 of the Minneapolis Code of Ordinances relating to *Licenses and Business Regulations: Tobacco Dealers*, amending Sections 281.10, 281.15, 281.45, 281.50, 281.55 and 281.65 to amend the definitions of tobacco, tobacco products, tobacco products shop and tobacco related devices; restricts free giveaways of novel tobacco products; prevents youth from buying new tobacco products and e-cigarettes; increases the penalty for the third underage tobacco sale violation in two years from \$600 to \$800; and increases the penalty for the fourth underage tobacco sale violation in two years from \$800 to \$1,600, was adopted 12/10/2010 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2010-Or-101
By Glidden
Intro & 1st Reading: 11/5/2010
Ref to: RE&E
2nd Reading: 12/10/2010

Amending Title 13, Chapter 281 of the Minneapolis Code of Ordinances relating to Licenses and Business Regulations: Tobacco Dealers.

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That Section 281.10 of the above-entitled ordinance be amended to read as follows:

281.10. License required. No person shall, directly or indirectly or by means of any device, offer or expose for sale, sell, exchange, barter, dispose of or give away, or cause to be offered or exposed for sale, exchanged, bartered, disposed of or given away, any tobacco, tobacco products, or tobacco related devices at any place in the city without being licensed under this chapter. The sale of tobacco by vending machine shall require a license under this chapter. In the case of a vending machine, the license shall be held by the person or organization which has control and supervision of the premises.

Section 2. That Section 281.15 of the above-entitled ordinance be amended to read as follows: **281.15. Definitions.** As used in this chapter, the following terms shall mean:

Self service merchandising means open displays of tobacco, tobacco products, or tobacco related devices in any manner where any person shall have access to the tobacco, or tobacco related devices, without the assistance or intervention of the licensee or licensee's employee. The assistance or intervention shall entail the actual physical exchange of the tobacco or tobacco related device between the customer and the licensee or employee.

Self service method means a method of sales of tobacco or tobacco related devices whereby the customer does not need to make a verbal or written request to an employee of the licensed premise in order to receive the tobacco, or tobacco related device, and no physical exchange of the tobacco or tobacco related device occurs between the customer and the licensee, or an employee or agent of the licensee.

Tobacco means cigarettes, cigars, other smoking tobacco, snuff, chewing tobacco, or any other kind or form of tobacco prepared in such manner as to be suitable for chewing or smoking and any product containing, made, or derived from tobacco that is intended for human consumption, whether chewed, smoked, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, or any component, part, or accessory of a tobacco product; cigars; cheroots; stogies; perique; granulated, plug cut, crimp cut, ready rubbed, and other smoking tobacco; snuff; snuff flour; cavendish; plug and twist tobacco; fine cut and other chewing tobaccos; shorts; refuse scraps, clippings, cuttings and sweepings of tobacco; and other kinds and forms of tobacco. Tobacco excludes any tobacco product that has been approved by the United States Food and Drug Administration for sale as a tobacco cessation product, as a tobacco dependence product, or for other medical purposes, and is being marketed and sold solely for such an approved purpose.

Tobacco products means any products containing, made, or derived from tobacco that is intended for human consumption, whether chewed, smoked, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, or any component, part, or accessory of a tobacco product, including, but not limited to, cigars; little cigars; cheroots; stogies; periques; granulated, plug cut, crimp cut, ready rubbed, and other smoking tobacco; snuff; snuff flour; cavendish; plug and twist tobacco; fine-cut and other chewing tobacco; shorts; refuse scraps, clippings, cuttings and sweepings of tobacco, and other kinds and forms of tobacco but does not include cigarettes as defined in this section. Tobacco products excludes any tobacco product that has been approved by the United States Food and Drug Administration for sale as a tobacco cessation product, as a tobacco dependence product, or for other medical purposes, and is being marketed and sold solely for such an approved purpose.

Tobacco products shop means a retail establishment with an entrance door opening directly to the outside that derives more than ninety (90) percent of its gross revenue from the sale of loose tobacco, plants, or herbs and cigars, cigarettes, pipes, and other smoking devices for burning tobacco and related smoking accessories and in which the sale of other products is merely incidental. "Tobacco products shop" does not include a tobacco department or section of any individual business establishment with any type of liquor, food, or restaurant license.

Tobacco related devices mean any tobacco product as well as a pipe, rolling papers or other devices intentionally designed or intended to be used in a manner which enables the chewing, sniffing, ingesting, absorbing, or smoking of tobacco or tobacco products.

Vending machine means a mechanical, electric or electronic device, regardless of locking mechanism which is used for the purposes of dispensing tobacco or tobacco related devices.

Section 3. That Section 281.45 of the above-entitled ordinance be amended to read as follows:

- **281.45. Method of sales of cigarettes**. (a) No person shall sell cigarettes in any manner other than by the package or multiples thereof to which a stamp has been affixed in accordance with Minnesota Statutes 297.03, Subd. 1.
- (b) Self-service methods of sales and self service methods of merchandising tobacco, <u>tobacco</u> <u>products</u> or tobacco related products as defined in section 281.15 of this Code, shall be prohibited.
- (c) Tobacco products sold by the carton may be sold by means of self service merchandising provided that tobacco products are in the immediate vicinity and plain view of a responsible employee and provided that cigarette cartons sold by means of self service merchandising shall be sold from display racks equipped with clear shields that allow the removal by an adult customer of a single carton of cigarettes and an audible alarm or chime which is reasonably loud enough to be heard by an employee at all times, and is activated each time a carton of cigarettes is removed from the self service display rack, or by similarly effective technology approved by the director of licenses and consumer services.
- (dc) Every person applying for a license to sell tobacco products at retail shall certify on the annual license application that the person has implemented a training program for employees regarding laws related to the sale of tobacco products and has trained all employees to comply with state and federal laws and/or regulations regarding the sale of tobacco products.
- (ed) Self service restrictions shall not apply to retail stores tobacco products shops which derive at least ninety (90) percent of their revenue from tobacco and tobacco-related products and which cannot be entered at any time by persons younger than eighteen (18) years of age. Any establishment wishing to apply for this exemption must provide an independent accountant's statement showing total sales for the previous year to the office of licenses and consumer services at renewal.
 - Section 4. That Section 281.50 of the above-entitled ordinance be amended to read as follows:
- **281.50.** Sales to minors. No person within the city shall sell, give to, or in any way furnish any tobacco, tobacco products, or tobacco related devices to any person under eighteen (18) years of age.
 - Section 5. That Section 281.55 of the above-entitled ordinance be amended to read as follows:
- **281.55. Distribution of free tobacco <u>products</u> restricted**. No person in the business of selling or promoting tobacco or agent or employee of any such person, shall distribute tobacco free to any person as provided in Minnesota Statutes, Section 325F.77(4).
 - Section 6. That Section 281.65 of the above-entitled ordinance be amended to read as follows:
- **281.65. Presumptive penalty for licensee**. Penalties for those violations listed in section 281.60 and occurring within a consecutive two-year period will be presumed as follows:
 - (a) First violation—Two hundred dollar (\$200.00) fine.
 - (b) Second violation—Four hundred dollar (\$400.00) fine.
- (c) Third violation—Thirty-day suspension of license and $\frac{1}{2}$ six $\frac{1}{2}$ eight hundred dollar ($\frac{600.00}{2}$ 800.00) fine.
- (d) Fourth violation—License revocation for a minimum of one (1) year and eight hundred one thousand six hundred dollar (\$800.00 \$1,600.00) fine.

For the purposes of this section, "consecutive two-year period" means a period, two (2) years in duration, which begins to toll on the date of the first violation, and ends two (2) years from the date of the first violation. If no further violations occur within two (2) years following the first violation, any violations occurring after the expiration of the two-year period will not be cumulative with regards to the first violation.

Adopted 12/10/2010.

RE&E - Your Committee, having under consideration the application of DG Restaurant LLC, dba Dancing Ganesha Restaurant, 1100 Harmon PI, for an On-Sale Liquor B with Sunday Sales License (new corporate officer and upgrade from Class D Liquor) to expire January 1, 2011, and having held a public hearing thereon, now recommends that said license be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted 12/10/2010.

RE&E - Your Committee, having under consideration the application of Rubio LLC, dba Adelitas Mexican Restaurant, 2405 Central Av NE, for an On-Sale Liquor Class C-2 with Sunday Sales License (upgrade from Wine) to expire January 1, 2011, now recommends that said license be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted 12/10/2010.

Approved by Mayor Rybak 12/10/2010.

(Published 12/14/2010)

RE&E - Your Committee, having under consideration the application of Chipotle Mexican Grill of Colorado LLC, dba Chipotle Mexican Grill, 200 S 6th St #100, for an On-Sale Liquor Class E with Sunday Sales License (new business) to expire January 1, 2011, now recommends that said license be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted 12/10/2010.

Approved by Mayor Rybak 12/10/2010.

(Published 12/14/2010)

RE&E-Your Committee, having under consideration the application of Good Cheer Hospitality LLC, dba Hazels Northeast, 2859 Johnson St NE, for an On-Sale Wine Class E with Strong Beer License (new business) to expire April 1, 2011, now recommends that said license be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted 12/10/2010.

Approved by Mayor Rybak 12/10/2010.

(Published 12/14/2010)

RE&E-Your Committee, having under consideration the application of North Washington Cafe LLC, dba North Washington Cafe, 700 Washington Av N #100, for an On-Sale Wine Class E with Strong Beer License (new business) to expire April 1, 2011, now recommends that said license be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted 12/10/2010.

Approved by Mayor Rybak 12/10/2010.

(Published 12/14/2010)

RE&E - Your Committee recommends passage of the accompanying resolution approving Business License Operating Conditions relating to the On-Sale Liquor Class C-2 with Sunday Sales License held by Pat's Tap, 3510 Nicollet Av.

Resolution 2010R-581, approving Business License Operating Conditions relating to the On-Sale Liquor Class C-2 with Sunday Sales License held by Pat's Tap, 3510 Nicollet Av, was adopted 12/10/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2010R-581 By Glidden

Approving Business License Operating Conditions relating to the On-Sale Liquor Class C-2 with Sunday Sales License held by Pat's Tap, 3510 Nicollet Av.

Resolved by The City Council of The City of Minneapolis:

That it approves the following Business License Operating Conditions relating to the On-Sale Liquor Class C-2 with Sunday Sales License held by Pat's Tap, 3510 Nicollet Av, contingent upon the license being granted:

- 1. Food and beverage consumption in the outdoor patio area shall cease at 11:00 p.m. Sunday through Thursday, and Midnight on Friday and Saturday. All seating shall be stacked and secured within one-half hour after those times and signage with patio hours posted near the patio door entrance. Patrons shall be allowed to smoke in the outdoor patio area until the closing time of Pat's Tap.
- 2. Pat's Tap staff shall proactively monitor and control excessively loud patrons who may be disturbing nearby residences. There shall be no speakers or amplified sound in the outdoor patio area, unless by special permit or license for such.
- 3. The outdoor patio area shall be enclosed by fencing and all patrons must enter and exit the outdoor area through the existing restaurant.
- 4. Patrons shall not occupy any area outside of the building except for the approved patio area. The side or rear portion of the lot will not be used by patrons, unless by special permit or license for such use.
 - 5. Patrons in the outside patio area shall not exceed 28 in number.
 - 6. Doors and windows shall remain closed when amplified sound is being produced.
- 7. Pat's Tap shall maintain sound monitoring equipment and remain in compliance with Minneapolis Ordinance 389.60.
- 8. Pat's Tap shall maintain a security plan and exit strategy and employ a manager or an assistant manager on premises at all times the business is open to the public.

Adopted 12/10/2010.

RE&E - Your Committee recommends passage of the accompanying resolution approving Business License Operating Conditions relating to the Food Manufacturer License held by JC's Taste of Chicago, 2117 W Broadway.

Adopted 12/10/2010.

Resolution 2010R-582, approving Business License Operating Conditions relating to the Food Manufacturer License held by JC's Taste of Chicago, 2117 W Broadway, was adopted 12/10/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2010R-582 By Glidden

Approving Business License Operating Conditions relating to the Food Manufacturer License held by JC's Taste of Chicago, 2117 W Broadway.

Resolved by The City Council of The City of Minneapolis:

That it approves the following Business License Operating Conditions relating to the Food Manufacturer License held by JC's Taste of Chicago, 2117 W Broadway:

- 1. "No Trespassing" signs will remain clearly posted on the exterior of the business. Store staff will immediately ask people that are observed loitering in the immediate vicinity of the store to leave. If the loitering activity persists, staff will call 911 and request police assistance to alleviate the loitering activity. The business agrees to cooperate fully in the prosecution of criminal activity.
- 2. The business agrees to have a manager as listed on the application present during all hours of operation.
 - 3. The business agrees to keep all exterior and interior lights illuminated and functioning properly.
- 4. The business agrees to notify business licensing prior to any future changes in the status or structure of leasing or ownership in the business.
- 5. The business agrees to be a food business only where no retail items to include t-shirts, cell phones or books will be sold.
- 6. The business agrees to clean the property, and all areas within 100 feet of the property line of litter and trash regardless of its origin twice daily. The business shall maintain a litter receptacle in front of the business that is convenient for customer use.
- 7. Refuse shall be stored in a regularly serviced, closed container (dumpster) that shall be maintained screened from view as is required by Minneapolis Codes. At no time shall this refuse container be overfilled so that the cover cannot be completely closed at all times.

Adopted 12/10/2010.

RE&E-Your Committee recommends passage of the accompanying resolution granting applications for Liquor, Wine and Beer Licenses.

Adopted 12/10/2010.

Resolution 2010R-583, granting applications for Liquor, Wine and Beer Licenses, was adopted 12/10/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2010R-583 By Glidden

Granting Liquor, Wine and Beer Licenses.

Resolved by The City Council of The City of Minneapolis:

That the following applications for liquor, wine and beer licenses be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances (Petn No 274648):

On-Sale Liquor Class A with Sunday Sales, to expire January 1, 2011

Kieren's Irish Pub LLC, dba The Old Pub, 330 2nd Av S, 1st floor (new shareholder)

On-Sale Liquor Class B with Sunday Sales, to expire October 1, 2011

Restaurant Events LLC, dba Solera, 900 Hennepin Av (new proprietor)

Minneapolis Aerie #34 F O E, dba Minneapolis Aerie #34 F O E, 2507 E 25th St (new manager)

On-Sale Liquor Class C-1 with Sunday Sales, to expire January 1, 2012

Rainbow Restaurant Properties Inc., dba Chino Latino, 2916 Hennepin Av

On-Sale Liquor Class E with Sunday Sales, to expire October 1, 2011

The Inn LLC, dba The Inn, 89 S 10th St (new manager, amended business plan, including name change from Subo Experience)

On-Sale Liquor Class E, to expire January 1, 2011

Bon Appetit Management Co, dba Cafe Target, 1000 Nicollet Mall, 2nd floor (reduction in the onsale liquor license area to target hall area only)

Liquor Catering Services, to expire August 1, 2011

Complete Beverage Service Inc, dba Darby O'Ragens, 401 3rd St N (new business)

On-Sale Wine Class E with Strong Beer, to expire April 1, 2011

ISNA Group Inc, dba Element Pizza, 96 Broadway St NE (new business)

North Washington Cafe LLC, dba North Washington Cafe, 700 Washington Av N #100 (new business)

Lowbrow Inc, dba Lowbrow, 4244 Nicollet Av (new business)

Temporary On-Sale Wine

Minnesota Opera, dba Minnesota Opera, 620 1st St N (January 20, 2011, 6:00 p.m. to 8:00 p.m.) Off-Sale Beer, to expire April 1, 2011

Lunds Inc, dba Lunds Pharmacy, 55 University Av SE (new business). Adopted 12/10/2010.

RE&E-Your Committee recommends passage of the accompanying resolution granting applications for Business Licenses.

Adopted 12/10/2010.

Resolution 2010R-584, granting applications for Business Licenses, was adopted 12/10/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2010R-584 By Glidden

Granting applications for Business Licenses.

Resolved by The City Council of The City of Minneapolis:

That the following applications for business licenses (including provisional licenses) as per list on file and of record in the Office of the City Clerk under date of December 10, 2010 be granted, subject to final inspection and compliance with all provisions of the applicable codes and ordinances (Petn No 274648):

Place of Amusement Class B-1; Christmas Tree; Dancing School; Fire Extinguisher Servicing Class A; Confectionery; Farm Produce Permits; Grocery; Meat Market; Restaurant; Short Term Food Permit; Sidewalk Cafe; Gasfitter Class A; Heating, Air Conditioning & Ventilating Class A; Pet Shop; Plumber; Precious Metal Dealer; Public Market; Refrigeration Systems Installer; Residential Specialty Contractor; Secondhand Goods Class B; Sign Hanger; Solid Waste Hauler; Steam and Hot Water Systems Installer; Suntanning Facility; Swimming Pool - Public; Tattooist/Body Piercer Establishment; Taxicab Limited; Taxicab Vehicle Fuel Efficient; Taxicab Vehicle Wheelchair Access; Taxicab Vehicle; Taxicab Vehicle Non-Transferable; Combined Trades; Wrecker of Buildings Class A; and Wrecker of Buildings Class B.

Adopted 12/10/2010.

RE&E-Your Committee recommends passage of the accompanying resolution granting applications for Gambling Licenses.

Adopted 12/10/2010.

Resolution 2010R-585, granting applications for Gambling Licenses, was adopted 12/10/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2010R-585 By Glidden

Granting applications for Gambling Licenses.

Resolved by The City Council of The City of Minneapolis:

That the following applications for gambling licenses be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances (Petn No 274648):

Gambling Class B

St Lawrence Catholic Church, dba St. Lawrence Catholic Church, 1201 5th St SE (November 19, 2010, excluded Bingo)

Gambling Exempt

Minnesota Spay Neuter Assistance Program, dba Minnesota Spay Neuter Assistance Program, 10000 Highway 55 Suite 300, Plymouth (Raffle December 10, 2010, Radisson Plaza Hotel Minneapolis, 35 S 7th St)

Cedarcrest Academy, dba Cedarcrest Academy, 6950 W Fish Lake Rd, Maple Grove (Raffle February 5, 2011, International Market Square).

Adopted 12/10/2010.

RE&E-Your Committee recommends passage of the accompanying resolution approving License Settlement Conference recommendations relating to the On-Sale Liquor Class A with Sunday Sales License held by Brass Rail, 422 Hennepin Av.

Adopted 12/10/2010.

Resolution 2010R-586, approving License Settlement Conference recommendations relating to the On-Sale Liquor Class A with Sunday Sales License held by Brass Rail, 422 Hennepin Av, was adopted 12/10/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2010R-586 By Glidden

Approving License Settlement Conference recommendations relating to the On-Sale Liquor Class A with Sunday Sales License held by Brass Rail, 422 Hennepin Av.

Whereas, the Licenses & Consumer Services Division held a License Settlement Conference hearing on March 5, 2010 with the licensee; and

Whereas, the Regulatory, Energy & Environment Committee received Findings of Fact, Conclusions and Recommendations that concluded that

- a. On two separate occasions in a period of less than 24 months, employees of the Brass Rail sold alcohol to persons under the age of 21, in violation of the Minneapolis Code of Ordinances, State Statutes, and the established compliance check policy and procedures of the City of Minneapolis; and
- b. The licensee has paid the \$500 administrative citation related to the first compliance check failure, and the \$1,000 administrative citation related to the second failure;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the On-Sale Liquor License issued to Brass Rail shall be subject to the following conditions and adverse license action, in accordance with the Findings on file in the Office of the City Clerk which are hereby made a part of this report by reference:

- 1. Provide a written alcohol service policy to Licensing due at the time of signing the agreement to include the following:
- a. Policy and procedure given to employees regarding alcohol sales which includes rewards for not serving minors, consequences for serving minors, what to do if staff is checking IDs at the door, and what to do when staff is not available to check IDs at the door.
- b. Whenever a staff meeting is held, alcohol service and proof of age policies will be a standing agenda item.
 - c. All new employees shall receive alcohol server training within 60 days of hire.
 - d. A plan on removal/refusal of obviously intoxicated customers.
 - e. A plan for requesting assistance of a manager if one is not on site.
- 2. Provide documentation of alcohol server training that staff has had within the last eight months due at the time of signing the agreement.
- 3. Post signs that identify Brass Rail's alcohol service policy to customers and staff. This would include posters that promote the legal age for purchasing alcohol.
- 4. Employ a youth alcohol self-check program with decoys two times each year for the next two years and maintain documentation of the results. Results shall be made available upon request from Licenses & Consumer Services or the Minneapolis Police. Implementation of this program shall begin within 30 days of the agreement being approved by the City Council.
- 5. In lieu of a suspension, the City shall impose a \$3,000 sanction. \$1,000 shall be stayed for a period of two years from the date of the City Council approval of these recommendations, if no same or similar violation occurs in that time period. The licensee shall pay \$2,000 due at the time of signing the agreement.

Adopted 12/10/2010.

RE&E-Your Committee recommends approval of the following appointments/reappointments to the Citizens Environmental Advisory Committee for two-year terms to expire December 31, 2012:

Mayoral Appointments

Michelle Schroeder, Ward 6 - Environmental Advocacy

Russ Henry, Ward 12 - Business

City Council Appointments

Terrance Noble, Ward 1 - Expertise

Jamison Tessneer, Ward 8 - Environmental Advocacy

Gretchen Camp, Ward 7 - Business

Michelle Stockness, Ward 1 - Business

Mayoral Reappointments

John Harkness, Ward 2 - Environmental Advocacy

Brian Ross, Ward 5 - Business

Mark Snyder, Ward 1 - Expertise

Patty Selly, Ward 10 - Expertise

John Sylvester, Ward 6 - Citizen

Ross Abbey, Ward 6 - Citizen

City Council Reappointments

Darrell Gerber, Ward 8 - Environmental Advocacy

Marty Broan, Ward 7 - Expertise

Sarah Sponheim, Ward 10 - Citizen

Annette Rondano, Ward 12 - Citizen.

Adopted 12/10/2010.

RE&E - Your Committee recommends concurrence with the recommendation of the City Council that David Fridgen, Ward 4, (public member) be appointed to the Housing Board of Appeals replacing Matt Knopp for the remainder of his term, which will expire December 31, 2011.

Your Committee further recommends that Jorge Eduardo Grauvilardell, Ward 4, (public member) be appointed as an alternate member to the Housing Board of Appeals for a one-year term to expire December 31, 2011.

RE&E-Your Committee, having under consideration the Rental Dwelling License for the property located at 828 22nd Av NE, and having received an acceptable management plan for the property and verification that said property is now in compliance with rental licensing standards, now recommends concurrence with the recommendation of the Director of Inspections to approve the reinstatement of said license to be held by Pedro Livichuzca.

Adopted 12/10/2010.

RE&E-Your Committee, having under consideration the Rental Dwelling License held by Richard and Therese Pruitt for the property located at 718 Morgan Av N, and a hearing having been held before an administrative hearing officer who issued Findings of Fact, Conclusions and a Recommendation that the rental dwelling license be revoked for failure to meet licensing standards pursuant to Section 244.1910 of the Minneapolis Code of Ordinances relating to unpaid administrative citations, now recommends that the license not be revoked on the condition that all administrative fines, less \$1,000 for the 2010 portion, be paid.

Adopted 12/10/2010.

RE&E-Your Committee, having under consideration the Rental Dwelling License held by Ronald Folger for the property located at 1651 Penn Av N, and a hearing having been held before an administrative hearing officer who issued Findings of Fact, Conclusions and a Recommendation that the rental dwelling license be revoked for failure to meet licensing standards pursuant to Section 244.2010 (a) of the Minneapolis Code of Ordinances relating to conduct on licensed premises, now recommends concurrence that said license be revoked, as more fully set forth in the Findings of Fact on file in the Office of the City Clerk which are hereby made a part of this report by reference.

Glidden moved that the report be referred back to the Regulatory, Energy & Environment Committee. Seconded.

Adopted 12/10/2010.

The REGULATORY, ENERGY & ENVIRONMENT and WAYS & MEANS/BUDGET Committees submitted the following report:

RE&E & W&M/Budget - Your Committee recommends that the proper City officers be authorized to execute an agreement with the University of Minnesota Extension Center Office in Minneapolis to receive \$10,000 to provide funds for the City to hire a community liaison to work with restaurants to incorporate self-auditing and coordinate food safety/security training sessions in the community. Further, passage of the accompanying resolution appropriating \$10,000 to the Department of Regulatory Services.

Adopted 12/10/2010.

RESOLUTION 2010R-587 By Glidden and Hodges

Amending The 2010 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation for the Department of Regulatory Services Agency in the Grants – Federal Fund (01300-8350200) by \$10,000 and increasing the Revenue Source (01300-8350200-321000) by \$10,000.

Adopted 12/10/2010.

Glidden moved to discharge the Regulatory, Energy & Environment Committee from further consideration of the On-Sale Liquor Class C-2 with Sunday Sales License application submitted by Pat's Tap, 3510 Nicollet Av. Seconded.

Glidden moved to amend the Licenses Petition on Page 5, #29, to grant the application of Uncle Pearle, LLC, dba Pat's Tap, 3510 Nicollet Av, for an On-Sale Liquor Class C-2 with Sunday Sales License (new business), to expire October 1, 2011, subject to final inspection and compliance with all applicable provisions of codes and ordinances. Seconded.

Adopted 12/10/2010.

The TRANSPORTATION & PUBLIC WORKS Committee submitted the following reports:

T&PW - Your Committee, having under consideration the final geometric layout submitted by the Minnesota Department of Transportation (Mn/DOT) pertaining to the rehabilitation of Interstate I-94 between Nicollet Ave and Cretin Ave, referred to as State Project 2781-415, now recommends passage of the accompanying resolution approving the geometric layout, as submitted.

Adopted 12/10/2010.

Resolution 2010R-588, approving the geometric layout submitted by the Minnesota Department of Transportation pertaining to the rehabilitation of Interstate I-94 between Nicollet Ave and Cretin Ave, referred to as State Project 2781-415, was adopted 12/10/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2010R-588 By Colvin Roy

Approving the geometric layout submitted by the Minnesota Department of Transportation pertaining to the rehabilitation of Interstate I-94 between Nicollet Avenue and Cretin Avenue, referred to as State Project 2781-415.

Whereas, the Minnesota Department of Transportation ("Mn/DOT") submitted a Highway Project Review Package (aka Municipal Consent) to the City of Minneapolis for approval on August 17, 2010 pertaining to the above-described "I-94 Rehabilitation" (the "project"), which Package included a Mn/DOT letter, cross-sections and layout map, and a plan set, which are on file with the City Engineer as SP 2781-415; and

Whereas, the Municipal Consent Package proposes increased highway traffic without the need for right-of-way acquisition; and

Whereas, the Municipal Consent Package states "No cost participation from the City of Minneapolis is required"; and

Whereas, Mn/DOT has determined that the project does not have the potential for significant environmental impacts and concluded that an Environmental Impact Statement is not required, and therefore issued a Negative Declaration Regarding the Need for an Environmental Impact Statement; and

Whereas, the City Council held a public hearing on November 29, 2010 pursuant to State Statute and now has the authority to approve or disapprove this project based on these submissions, public testimony, information contained in project documents, and other evidence and testimony of record;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the Minneapolis City Council approves the final layout provided by Mn/DOT and approves municipal consent of the project to rehabilitate Interstate 94 from Nicollet Avenue to Cretin Avenue, identified as State Project 2781-415, and referred to in the Highway Project Review Package submitted by the Minnesota Department of Transportation on August 27, 2010 as the "I-94 Rehabilitations" project. Adopted 12/10/2010.

T&PW - Your Committee, to whom was referred an ordinance amending Title 19, Chapter 509 of the Minneapolis Code of Ordinances relating to *Water, Sewers and Sewage Disposal: Water,* amending Section 509.880 relating to water meter reading requirements, now recommends that said ordinance be given its second reading for amendment and passage.

Adopted 12/10/2010.

Ordinance 2010-Or-102 amending Title 19, Chapter 509 of the Minneapolis Code of Ordinances relating to *Water*, *Sewers and Sewage Disposal: Water*, amending water meter reading requirements, was adopted 12/10/2010 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2010-Or-102
By Colvin Roy
Intro & 1st Reading: 10/8/2010
Ref to: T&PW
2nd Reading: 12/10//2010

Amending Title 19, Chapter 509 of the Minneapolis Code of Ordinances relating to Water, Sewers and Sewage Disposal: Water.

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That Section 509.880 of the above-entitled ordinance be amended to read as follows: **509.880. Meter reading.** (a) *Meter reading requirements*. Readings of all meters used for determining charges shall be attempted at least once every three (3) month period. The department may permit a customer to supply meter readings, butt The customer must allow the department to read access the meter at least once every twelve (12) months after three (3) months of no reading, when there is a change in customer, and or when requested by the customer.

(b) Estimated bills. When a meter reading cannot be gained and the customer fails to supply a meter reading in time for the billing operations, an estimated bill shall be rendered. If a customer provides a meter reading, but it appears to the department there is an error in the reading, the department shall make an attempt to contact the customer to explain the situation and assist the customer in making correct future readings of the meter. Following that, the department may estimate the bill if necessary. Estimated bills shall be based on the property's consumption history.

Adopted 12/10/2010.

T&PW - Your Committee recommends the following appointments to the Minneapolis Pedestrian Advisory Committee:

- a) Philip Ailiff, for a term beginning immediately and expiring June 30, 2011; and
- b) Amy Loegering, for a term beginning immediately and expiring June 30, 2012. Adopted 12/10/2010.

T&PW - Your Committee recommends that the proper City officers be authorized to execute a "Temporary Construction Agreement" with the University of Minnesota granting Temporary (Construction) Easements for the 10th Ave SE Storm Tunnel Outlet Construction Project, agreeing to accept the property as is, agreeing to clean up contamination found by the City (if any), agreeing to indemnify the University for any liability arising from the City's use of the easement area, and agreeing to other conditions as set forth in the staff report.

Adopted 12/10/2010. Approved by Mayor Rybak 12/10/2010. (Published 12/14/2010)

T&PW - Your Committee, having under consideration the Riverside Ave Reconstruction Project from Cedar Ave to Franklin Ave, now recommends:

- a) Approval of the layout, dated November 30, 2010;
- b) That the proper City officers be authorized to negotiate with private property owners to acquire and execute easements and additional right-of-way related to the reconstruction of Riverside Ave;
- c) That staff be directed to continue the southeast-bound bicycle facility for the full length of Riverside Avenue on the block between 9th Street South and Franklin Ave through the use of appropriate signage and street markings to indicate that bicycles should use the full right travel lane; and
- d) That staff be directed to work with community stakeholders to identify appropriate locations for planted medians and develop a maintenance agreement that will ensure the medians are maintained not at City expense.

Adopted 12/10/2010.

The TRANSPORTATION & PUBLIC WORKS and WAYS & MEANS/BUDGET Committees submitted the following reports:

T&PW & W&M/Budget - Your Committee, having under consideration the Hiawatha Maintenance Facility, now recommends that the proper City officers be authorized to execute Change Order No 5 (Final) to Contract No C-26655 with Knutson Construction Services, Inc in the amount of \$229,261, for a revised contract total of \$11,074,477, to allow for construction contingencies provided as part of the original project budget. No additional appropriation required.

Adopted 12/10/2010.

T&PW & W&M/Budget - Your Committee, having under consideration the Non-Motorized Transportation Pilot Project (NTP), now recommends that the proper City officers be authorized to execute Amendment No 4 to the existing agreement between the City of Minneapolis and Transit for Livable Communities (TLC) (C-23887) to perform specific work efforts, as outlined in and in accordance with Mn/DOT Agreement No 89757 that extends the Federal grant funding from December 31, 2010 to June 30, 2011.

Adopted 12/10/2010.

T&PW & W&M/Budget - Your Committee, having under consideration traffic signal retiming in the Central Business District, now recommends:

- a) Approval of the RFP selection of Alliant Engineering, Inc. for traffic signal retiming assistance in the Central Business District;
- b) That the proper City officers be authorized to negotiate and enter into a contract with Alliant Engineering, Inc. for the project;
- c) That the proper City officers be authorized to execute an agency agreement with the State of Minnesota Department of Transportation (Mn/DOT) allowing the state to act as the City's agent in accepting federal funds; and
- d) Passage of the accompanying resolution appointing the Commissioner of Transportation as the City's agent in accepting federal aid funds for eligible transportation-related projects.

Adopted 12/10/2010.

Resolution 2010R-589, appointing the Commissioner of Transportation as agent of the City of Minneapolis and entering into an agreement to accept federal aid funds for eligible transportation-related projects, was adopted 12/10/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2010R-589 By Colvin Roy and Hodges

RESOLUTION FOR AGENCY AGREEMENT

Appointing the Commissioner of Transportation as agent of the City of Minneapolis and entering into an agreement to accept federal aid funds for eligible transportation-related projects.

Resolved by The City Council of The City of Minneapolis:

That pursuant to Minnesota Statute Section 161.36, the Commissioner of Transportation be appointed as Agent of the City of Minneapolis to accept as its agent, federal aid funds which may be made available for eligible transportation-related projects.

Be It Further Resolved that the proper City officers are hereby authorized and directed, for and on behalf of the City of Minneapolis, to execute and enter into an agreement with the Commissioner of Transportation prescribing the terms and conditions of said federal aid participation as set forth and contained in "Minnesota Department of Transportation Agency Agreement No 97384", a copy of which said agreement was before the City Council and which is made a part hereof by reference.

Adopted 12/10/2010.

T&PW & W&M/Budget - Your Committee, having under consideration a request by the Facilities, Space and Asset Management Committee that the Public Works Property Services Division prepare an update to the Strategic Facilities Plan for the downtown campus, now recommends passage of the accompanying resolution increasing the 2010 Operating Budget for Public Works Property Services by \$80,000, to be funded through the Property Disposition Fund balance.

Adopted 12/10/2010.

RESOLUTION 2010R-590 By Colvin Roy and Hodges

Amending The 2010 Capital Improvement Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the PW-Property Services Department in the Property - Internal Service Fund (6200-6800000) by \$80,000, to be funded through the Property Disposition Fund balance.

Adopted 12/10/2010.

T&PW & W&M/Budget - Your Committee, having under consideration the Plymouth Avenue River Bridge, now recommends that the proper City officers be authorized to amend the Consulting Services Standard Agreement with Corven Engineering by increasing the total compensation under the contract to an amount not to exceed \$250,000, and extending the contract termination date to December 31, 2011.

Adopted 12/10/2010.

T&PW & W&M/Budget - Your Committee, having under consideration the contract with Urban Works, Inc, for professional services related to the management of Special Service Districts, now recommends that the proper City officers be authorized to increase Standard Agreement Contract C-28221 with Urban Works, Inc by \$80,000, for a revised contract total of \$130,000, and extending the contract end date to November 30, 2011. No additional appropriation required.

T&PW & W&M/Budget - Your Committee recommends passage of the accompanying resolutions:

- a) Receiving and accepting the final costs of various Traffic Operations and Bike Projects and reallocating excess revenues and Net Debt Bonds to other Traffic Operations and Bike Projects and adjusting the capital appropriations as necessary to close the projects; and
- b) Requesting the concurrence of the Board of Estimate and Taxation in the reallocation of already issued Net Debt Bonds.

Adopted 12/10/2010.

Resolution 2010R-591, receiving and accepting the final costs of various Traffic Operations and Bike Projects and adjusting the capital appropriations as necessary thereby closing the projects, was adopted 12/10/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2010R-591 By Colvin Roy and Hodges

Receiving and accepting the final costs of various Traffic Operations and Bike Projects and adjusting the capital appropriations as necessary thereby closing the projects.

Resolved by The City Council of The City of Minneapolis:

That the final costs of all work described in the following Traffic Operations and Bike Projects for the total amounts specified be received and accepted, and that the capital appropriations be adjusted as necessary thereby closing the projects:

- a) All traffic operations work related to the Minneapolis Stop Sign Plan Completion Project for a total of \$64,197.50. The Traffic Operations appropriation for 04100-9010943, Project CTR009, should be decreased by \$4,552.50. Excess revenues shall be re-designated in the amount of \$4,552.50 and excess Net Debt Bonds shall be re-designated in the amount of \$31,250; and
- b) All bike work related to the 2005 Bikeways Clean Up Project for a total of \$28,541.30. The bike appropriation for 04100-9010943, Project CBIK15, shall be increased by \$3,541.30 and additional revenue estimate increased to finalize this project in the amount of \$3,541.30.

Be It Further Resolved that as a result of the close-out of the Minneapolis Stop Sign Plan Completion Project listed in part (a) above, excess Net Debt Bonds in the amount of \$31,250 become available for reallocation to the Accessible Pedestrian Signals Project, 04100-9010943, Project CTRAPSS080 Revenue Source 3846. This project is not being closed out.

Be It Further Resolved that as a result of the close-out of the Minneapolis Stop Sign Plan Completion Project listed in part (a) above, excess revenue in the amount of \$4,552.50 become available for reallocation as follows:

- \$3,541.30 to 2005 Bikeways Clean Up Project, 04100-9010943 CBIK15. This project is being closed out; and
- \$1,011.20 to 2008 City Street Light Renovation 04100-9010943 CTR811SL080. This project is complete but is not being closed out.

Adopted 12/10/2010.

Resolution 2010R-592, requesting concurrence of the Board of Estimate and Taxation in the reallocation of already issued Net Debt Bonds in the amount of \$31,250.00, was adopted 12/10/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2010R-592 By Colvin Roy and Hodges

Requesting concurrence of the Board of Estimate and Taxation in the reallocation of already issued Net Debt Bonds in the amount of \$31,250.00.

Resolved by The City Council of The City of Minneapolis:

That the Board of Estimate and Taxation be requested to concur with the reallocation of already issued Net Debt Bonds in the total amount of \$31,250.00 from the Minneapolis Stop Sign Plan Completion Project (04100-9010943, Project CTR009) to the to the Accessible Pedestrian Signals Project (04100-9010943, Project CTRAPSS080 - Revenue Source 3846).

Adopted 12/10/2010.

The WAYS & MEANS/BUDGET Committee submitted the following reports:

W&M/Budget - Your Committee recommends passage of the accompanying resolution authorizing the settlement of legal matters, as recommended by the City Attorney.

Adopted 12/10/2010.

Resolution 2010R-593, authorizing settlement of legal matters of *Patrice Monique Sanford; Patrick Morin; Vincent King; and Angela Ann Johnson,* was adopted 12/10/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2010R-593 By Hodges

Authorizing legal settlements.

Resolved by The City Council of The City of Minneapolis:

That the City Attorney is authorized to proceed with the settlement of:

- a) Patrice Monique Sanford v. City of Minneapolis, by payment of \$9,500.00 to Patrice Monique Sanford and her attorneys, Thill Law Firm, from the Internal Service Self Insurance Fund (06900-1500100-145675);
- b) Patrick Morin v. City of Minneapolis, by payment of \$9,000.00 to Patrick Morin and his attorney, Martin T. Montilino, from the Internal Service Self Insurance Fund (06900-1500100-145664);
- c) Vincent King v. City of Minneapolis, by payment of \$4,500.00 to Vincent King and his attorneys, Walker Law Offices, from the Internal Service Self Insurance Fund (06900-1500100-145675); and
- d) *Angela Ann Johnson v. City of Minneapolis*, by payment of \$6,000.00 to Angela Ann Johnson and her attorney, Eric P. Steeves, from the Internal Service Self Insurance Fund (06900-1500100-145400).

Further, authorize the City Attorney's Office to execute any documents necessary to effectuate the settlements.

Adopted 12/10/2010.

W&M/Budget - Your Committee, having under consideration the City's confidential reporting line service, now recommends authorizing proper City officers to enter into a Confidentiality Agreement with The Network, Inc., to review confidential data contained in the SAS 70 Report which is used to report on controls placed in operation (SAS 70 Type I) and tests of operating effectiveness (SAS 70 Type II).

Adopted 12/10/2010.

Approved by Mayor Rybak 12/10/2010.

(Published 12/14/2010)

W&M/Budget - Your Committee, having under consideration the City Attorney's remaining unspent 2010 budget dollars, now recommends directing the Finance Department to allocate any unspent balance from the City Attorney's General Fund (00100-1400100) and Self Insurance Fund (06900-1400300) for funding the following technology projects:

- a) E-discovery Phase 2 (880F0406), completing implementation of the criminal e-discovery project; and
- b) Practice Manager Efficiency Enhancements (880F0452), making Improvements in trial notices and subpoenas for Minneapolis Police Department and reducing the number of steps needed to enter criminal case disposition in our case management system.

Adopted 12/10/2010.

W&M/Budget - Your Committee, having under consideration the 2011 City Council Ward Budget Guidelines, as set forth in Petn No 274662 on file in the Office of the City Clerk, now recommends approval.

Adopted 12/10/2010.

W&M/Budget - Your Committee recommends approval of the January 2011 utility billing insert on behalf of the Finance - Utility Billing providing information about the services people receive for their utility bill, encouraging people to sign up to get their bill electronically, and listing the ways they can pay their utility bill.

Adopted 12/10/2010.

W&M/Budget - Your Committee recommends that proper City officers be authorized to execute a fourth (4th) amendment to contract C-23970, and exercise the third (3rd) and final renewal option with Per Mar Security Services to provide crowd management event staffing services for the period of January 1, 2011 through December 31, 2011. Further, that Minneapolis Convention Center will issue a Request for Proposal (RFP) in 2011 for these services to be effective January 1, 2012. No additional appropriation required.

Adopted 12/10/2010.

W&M/Budget - Your Committee recommends acceptance of the low responsive bid received on OP #7364 from Egan Company, in the amount of \$248,219.60, to furnish and deliver mechanical work for the Minneapolis Convention Center fire proofing remediation project.

Your Committee further recommends that the proper City officers be authorized and directed to execute a contract for this project, all in accordance with specifications prepared by Perkins and Will. Adopted 12/10/2010.

W&M/Budget - Your Committee, having under consideration the funding plan for the Time and Labor software project, which will allow City employees to enter their bi-weekly pay information directly into the City's Human Resources Information System (HRIS), now recommends approval as outlined:

Department	Project Funding
Finance *	\$400,000
Minneapolis Convention Center	\$250,000
Public Works *	\$500,000
TOTAL	\$1,150,000

^{*}The project cost will be borne initially by the Business Information Services (BIS) Department. BIS will be reimbursed in 2010 by the Convention Center for their share while the Finance and Public Works departments will utilize operating budget dollars to cover their share of project expenditures and will pay back their respective amounts over a three or five-year period beginning in 2012. Both Finance and Public Works expect to realize significant savings upon completion of this project.

W&M/Budget - Your Committee, having under consideration the City's Financial Services Consultant Panel Contracts, now recommends authorizing proper City officers to execute three-year Master Contract agreements, with the option for two (2) additional one-year extensions with the following twenty-six (26) vendors to provide financial and other consulting services to the City of Minneapolis, with each scope of work amount not to exceed \$500,000 and each overall contract will be limited to \$2.5 million over the life of the contract:

- 1. 35W Financial
- 2. Accounting Services Center, LLC
- 3. Adams Gabbert, LLC
- 4. Alvarez & Marsal Public Sector Service, LLC
- 5. Baker, Tilly, Virchow, Krause, LLP
- 6. Buck Consultants
- 7. Deloitte Consulting, LLP
- 8. Ehlers
- 9. Grant Thornton
- 10. Hannover, Ltd.
- 11. Hawkins, Delafield & Wood, LLP
- 12. HDR Engineering, Inc.
- 13. Hess, Roise and Company, Inc.
- 14. JTR Enterprises, Inc.
- 15. Landscape Research, LLC
- 16. McComb Group, Ltd.
- 17. Mead & Hunt, Inc.
- 18. Monroe, Moxness, Berg PA
- 19. Northland Securities, Inc.
- 20. Oliver Wyman
- 21. Salo Project Search
- 22. S. B. Friedman & Company
- 23. Springsted, Inc.
- 24. The PFM Group
- 25. TischlerBise, Inc.
- 26. Yaggy Colby Associates

Adopted 12/10/2010.

W&M/Budget - Your Committee, having under consideration the Finance Department's unspent funds from the 2010 one-time budget appropriation for business process efficiencies in the amount of \$149,661, now recommends authorizing the Finance Officer to rollover any unspent funds to the 2011 budget year.

Adopted 12/10/2010.

W&M/Budget - Your Committee, having under consideration the Annual Property Insurance Premium for the Minneapolis Convention Center (MCC), Tallmadge Building, and Parking Ramp, now recommends:

- a) Authorizing the City's Finance Officer to review options for property insurance for the Minneapolis Convention Center, including the Tallmadge Building, and Parking Ramp for January 1, 2011 coverage; and
- b) Acceptance of the XL Insurance quote of \$266,518 plus taxes and surcharges and lock in the binder for the 2011 property coverage; and
 - c) Acceptance of the quote for additional terrorism coverage. Adopted 12/10/2010.

W&M/Budget - Your Committee, having under consideration the City of Minneapolis Minneflex Plan and Health Reimbursement Arrangement (HRA) Plan, now recommends amending said plans to comply with federal health care reform legislation and to make certain clarifying changes, as follows:

- a) amending the Minnflex plan to:
 - Change the definition of dependent to include participants' children to age 26.
 - Change the definition of eligible medical expenses for purposes of the health care FSA to exclude over-the-counter drugs except for insulin or drugs prescribed by a physician.
 - Prohibit the use of Minneflex issued debit cards to pay for over-the-counter drugs.
 - Update information on the insurance carriers and other third parties who provide insurance and administrative services under the plan; and

b) amending the HRA to:

- Change the definition of dependent to include participants' children to age 26.
- Change the definition of eligible medical expenses for purposes of the HRA reimbursements to exclude over-the-counter drugs except for insulin or drugs prescribed by a physician.

Adopted 12/10/2010.

W&M/Budget - Your Committee, having under consideration the recommendation by the Director of Human Resources to adopt a City of Minneapolis Alternative Work Arrangement Policy, now recommends the following:

- a) Adopt the Alternative Work Arrangement Policy (Petn 274668);
- b) Receive and file the Procedures that support the policy; and
- c) Direct the Human Resource Department to place the Policy and Procedures in the Policy Library. Adopted 12/10/2010.

W&M/Budget - Your Committee, having under consideration the Enterprise Performance Management System Funding Plan (Petn 274668), now recommends approval of said funding plan for the future automated Performance Management System and approve related fund transfers from the Human Resources (HR) budget, when authorized by the HR Director as needed to implement the plan. Funds encumbered to support the purchase and implementation of the system will reduce (not eliminate) the potential need to request resources from the Capital Long-Range Improvement Committee (CLIC). Future and ongoing costs associated with the Performance Management System will be paid for by departments who decide to use the system.

Adopted 12/10/2010.

W&M/Budget - Your Committee recommends approval of the application for a free Wireless Community account, for FOCUS Minnesota located at 1600 E. Lake Street. Adopted 12/10/2010.

The WAYS & MEANS/BUDGET and ZONING & PLANNING Committees submitted the following report:

W&M/Budget & Z&P – Your Committee, having under consideration the federal Certified Local Government (CLG) grant administered by the State Historic Preservation Office of the Minnesota Historical Society, in the amount of \$28,000 to revise the City's survey of historic properties in the remainder of the City that has not yet been re-surveyed. This area includes the following neighborhoods: Victory, Shingle Creek, Webber-Camden, Humboldt Industrial Area, Lind-Bohanon, Folwell, McKinley, Windom, Kinney, Armatage, St. Anthony West, Marcy Holmes, Como, Downtown West, Downtown East, Sumner Glenwood, and portions of Bryn Mawr, Harrison, Near North, North Loop, and Prospect Park. The project area also includes three neighborhoods in southwest Minneapolis: Windom, Kenny, and Armatage, now recommends the following:

- a) Passage of accompanying resolution authorizing acceptance of funds;
- b) Passage of accompanying resolution appropriating funds; and
- c) Authorizing proper City officers to execute a Professional Services Agreement with selected contractor as a result of the Request for Proposal (RFP) process.

Adopted 12/10/2010.

RESOLUTION 2010R-594 By Schiff and Hodges

Authorizing the acceptance of federal Certified Local Government (CLG) grant funds.

Resolved by The City Council of The City of Minneapolis:

That the proper City officers be authorized to accept federal Certified Local Government (CLG) grant funds administered by the State Historic preservation Office of the MN Historical Society, in the amount of \$28,000 to revise the City's survey of historic properties for the remainder of the City that has not yet been re-surveyed.

Adopted 12/10/2010.

RESOLUTION 2010R-595 By Schiff and Hodges

Amending The 2010 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation in the Community Planning and Economic Development Agency in the Federal Fund (0300-890-8962) by \$28,000; and increasing the Community Planning and Economic Development Agency revenue source (0300-890-8962 - Source 3210) by \$28,000.

Adopted 12/10/2010.

The ZONING & PLANNING Committee submitted the following reports:

- **Z&P**-Your Committee, having under consideration the application of First Covenant Church for an interim use permit (BZZ-5037) for an overnight shelter accessory to a religious institution place of assembly at 810 7th St S, now recommends adoption of the findings of Community Planning & Economic Development staff, and approval of said application upon the following conditions:
 - 1) The interim use shall expire no later than May 15, 2011.
 - 2) The use shall comply with the standards for overnight shelters required by section 537.110 of the zoning code.

Adopted 12/10/2010.

Approved by Mayor Rybak 12/10/2010.

(Published 12/14/2010)

Z&P - Your Committee recommends concurrence with the recommendation of the Mayor in the reappointment of Carol Daly (Ward 7), and the appointment of Jonna Kosalko (Ward 2), David Kang (Ward 5) and Kate Iverson (Ward 3) to the Minneapolis Arts Commission, for terms to run January 1, 2011 through December 31, 2012, and the appointment of Noel Raymond (Ward 8) for a term to run January 1, 2011, through December 31, 2011.

Your Committee further recommends approval of the Council reappointments of Jill Boldenow (Ward 8) and Chris Harrison (Ward 5), and the appointments of Bill O'Connor (Ward 2) and Peter Brabson (Ward 9), all for terms to run January 1, 2011 through December 31, 2012.

Adopted 12/10/2010.

- **Z&P**—Your Committee recommends approval of Council appointment of Tammy Lindberg (Ward 8), and reappointments of Kevin Kelley (Ward 11) and Ginny Lackovic (Ward 2) to the Minneapolis Heritage Preservation Commission, for terms to run January 1, 2011 through December 31, 2013. Adopted 12/10/2010.
- **Z&P** Your Committee concurs in the recommendation of the Planning Commission in granting the petition of United Properties (BZZ-4975) to rezone the property at 1611 46th St E from R1A to the R3 District to permit two multiple-family residential buildings with a total of 107 units and adopting the related findings prepared by the Department of Community Planning & Economic Development.

Your Committee further recommends passage of the accompanying ordinance amending the Zoning Code.

Adopted 12/10/2010.

Ordinance 2010-Or-103 amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to *Zoning Code: Zoning Districts and Maps Generally*, rezoning the property at 1611 46th St E to the R3 District, was adopted 12/10/2010 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2010-Or-103 By Schiff 1st & 2nd Readings: 12/10/2010

Amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to Zoning Code: Zoning Districts and Maps Generally.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 521.30 of the above-entitled ordinance be amended by changing the zoning district for the following parcel of land, pursuant to MS 462.357:

That part of all of Block 2, HARRIET-MINNEHAHA PARKWAY ADDITION TO MINNEAPOLIS, together with the vacated alley which accrued thereto by reason of the vacation thereof, Hennepin County, Minnesota (1611 46th St E - Plate 32) to the R3 District.

Adopted 12/10/2010.

- **Z&P** Your Committee, to whom was referred ordinances amending Title 20 of the Minneapolis Code of Ordinances relating to *Zoning Code*, (to recognize birth centers as an allowed use in certain zoning districts and to establish standards for this use), now concurs in the recommendation of the Planning Commission that the related findings be adopted and that the following ordinances be given their second reading for amendment and passage:
 - a. Amending Chapter 520 relating to Introductory Provisions;
 - b. Amending Chapter 536 relating to Specific Development Standards;
 - c. Amending Chapter 541 relating to Off-Street Parking and Loading;
 - d. Amending Chapter 547, relating to Office Residence Districts;
 - e. Amending Chapter 548 relating to Commercial Districts;
 - f. Amending Chapter 549 relating to Downtown Districts; and
 - g. Amending Chapter 550 relating to Industrial Districts.

Adopted 12/10/2010

Ordinance 2010-Or-104 amending Title 20, Chapter 520 of the Minneapolis Code of Ordinances relating to Zoning Code: Introductory Provisions, amending Section 520.160 to add the definition of a birth center, was adopted 12/10/2010 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2010-Or-104
By Lilligren
Intro & 1st Reading: 6/18/2010
Ref to: Z&P
2nd Reading: 12/10/2010

Amending Title 20, Chapter 520 of the Minneapolis Code of Ordinances relating to Zoning Code: Introductory Provisions.

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That Section 520.160 of the above-entitled ordinance be amended by adding thereto the following definitions in alphabetical sequence to read as follows:

520.160. Definitions. Unless otherwise expressly stated, or unless the context clearly indicates a different meaning, the words and phrases in the following list of definitions shall, for the purposed of this zoning ordinance, have the meanings indicated. Additional definitions may be found within specific chapters of this zoning ordinance. All words and phrases not defied shall have their common meaning.

Birth center. A facility licensed by the Department of Health (DOH) for the primary purpose of performing low-risk deliveries that is not a clinic or hospital and where births are planned to occur away from a residence. Additional services provided may include prenatal care, parenting classes and postpartum care.

Adopted 12/10/2010

Ordinance 2010-Or-105 amending Title 20, Chapter 536 of the Minneapolis Code of Ordinances relating to Zoning Code: Specific Development Standards, amending Section 536.20 to add specific development standards for birth centers, was adopted 12/10/2010 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2010-Or-105
By Lilligren
Intro & 1st Reading: 6/18/2010
Ref to: Z&P
2nd Reading: 12/10/2010

Amending Title 20, Chapter 536 of the Minneapolis Code of Ordinances relating to Zoning Code: Specific Development Standards.

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That Section 536.20 of the above-entitled ordinance be amended by adding thereto the following use in alphabetical sequence to read as follows:

536.20. Specific Development Standards. The uses listed below are subject to the following specific development standards, in addition to all other applicable regulations:

Birth Center.

(1) The operator shall submit a management plan for the facility and a floor plan showing delivery rooms, emergency exits and bathrooms.

- (2) To the extent practical, all new construction or additions to existing buildings shall be compatible with the scale and character of the surroundings, and exterior building materials shall be harmonious with other buildings in the neighborhood.
- (3) An appropriate transition area between the use and adjacent property shall be provided by landscaping, screening and other site improvements consistent with the character of the neighborhood.

Adopted 12/10/2010

Ordinance 2010-Or-106 amending Title 20, Chapter 541 of the Minneapolis Code of Ordinances relating to Zoning Code: Off-Street Parking and Loading, amending Tables 541-1 and 541-9 to add off-street parking and loading requirements relating to birth centers, was adopted 12/10/2010 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2010-Or-106
By Lilligren
Intro & 1st Reading: 6/18/2010
Ref to: Z&P
2nd Reading: 12/10/2010

Amending Title 20, Chapter 541 of the Minneapolis Code of Ordinances relating to Zoning Code: Off-Street Parking and Loading.

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That the following portion(s) of Table 541-1 of the above-entitled ordinance be amended to read as follows:

Table 541-1 Specific Off-Street Parking Requirements

Use	Minimum Parking Requirement	Maximum Parking Allowed	Notes (see 541.170)
Medical Faci	lities		
Birth Center	1 space per 1 bed	1 space per 200 sq. ft. of GFA	<u>2</u>

Section 2. That the following portion(s) of Table 541-9 of the above-entitled ordinance be amended to read as follows:

Table 541-9 Specific Off-Street Loading Requirements

Use	Minimum Loading Requirement
Medical Facilities Birth Center Adopted 12/10/2010	<u>Low</u>

Ordinance 2010-Or-107 amending Title 20, Chapter 547 of the Minneapolis Code of Ordinances relating to Zoning Code: Office Residence Districts, amending Section 547.60 and tables 547-1, 547-3, 547-4 & 547-5 to add requirements relating to birth centers, was adopted 12/10/2010 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2010-Or-107
By Lilligren
Intro & 1st Reading: 6/18/2010
Ref to: Z&P
2nd Reading: 12/10/2010

Amending Title 20, Chapter 547 of the Minneapolis Code of Ordinances relating to Zoning Code: Office Residence Districts.

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That the following portion(s) of Table 547-1 of the above-entitled ordinance be amended to read as follows:

Table 547-1 Principal Uses in the Office Residence Districts

Use	OR1	OR2	OR3	Specific Dev. Standards
Medical F	acilities			
Birth Cente	<u>er</u> <u>C</u>	<u>P</u>	<u>P</u>	✓

Section 2. That the following portion(s) of Section 547.60(a) of the above-entitled ordinance be amended to read as follows:

547.60. Hours open to the public. (a) *Ingeneral*. All uses located in the office residence districts, except residential uses, religious institutions, hotels, <u>birth centers</u>, hospitals and colleges and universities, shall comply with the following regulations governing maximum hours open to the public, except where the city planning commission further restricts such hours:

Sunday through Thursday, from 7:00 a.m. to 10:00 p.m. Friday and Saturday, from 7:00 a.m. to 11:00 p.m.

Section 3. That the following portion(s) of Table 547-3 of the above-entitled ordinance be amended to read as follows:

Table 547-3 Lot Dimension and Building Bulk Requirements in the OR1 District

Uses	Minimum Lot Area (Square Feet)	Minimum Lot Width (Feet)	Maximum Floor Area Ratio (Multiplier)
COMMERCIA Birth Center	L USES 4,000	<u>None</u>	<u>1.0</u>

Section 4. That the following portion(s) of Table 547-4 of the above-entitled ordinance be amended to read as follows:

Table 547-4 Lot Dimension and Building Bulk Requirements in the OR2 District

Uses	Minimum Lot Area (Square Feet)	Minimum Lot Width (Feet)	Maximum Height	Maximum Floor Area Ratio (Multiplier)
COMME! Birth Cen	RCIAL USES ter 4,000	<u>None</u>	4 stories, not to	-
			exceed 56 feet	<u>2.5</u>

Section 5. That the following portion(s) of Table 547-5 of the above-entitled ordinance be amended to read as follows:

Table 547-5 Lot Dimension and Building Bulk Requirements in the OR3 District

Uses	Minimum Lot Area (Square Feet)	Minimum Lot Width (Feet)	Maximum Height	Maximum Floor Area Ratio (Multiplier)
COMMERC	CIALUSES			
Birth Cente	<u>4,000</u>	<u>None</u>	6 stories, not to	
			exceed 84 feet	<u>3.5</u>
Adopted 12	/10/2010			

Ordinance 2010-Or-108 amending Title 20, Chapter 548 of the Minneapolis Code of Ordinances relating to Zoning Code: Commercial Districts, amending Section 548.60 and Table 548-1 to add the regulations relating to birth centers, was adopted 12/10/2010 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2010-Or-108
By Lilligren
Intro & 1st Reading: 6/18/2010
Ref to: Z&P
2nd Reading: 12/10/2010

Amending Title 20, Chapter 548 of the Minneapolis Code of Ordinances relating to Zoning Code: Commercial Districts.

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That the following portion(s) of Table 548-1 of the above-entitled ordinance be amended to read as follows:

		•			
C 1	C2	СЗА	C3S	C4	Specific
					Development
					Standards

Table 548-1 Principal Uses in the Commercial Districts

 Medical Facilities

 Birth Center
 P
 P
 P
 P
 P

Section 2. That the following portion(s) of Section 548.60(a) of the above-entitled ordinance be amended to read as follows:

548.60. Hours open to the public. (a) *In general.* All uses located in the commercial districts, except residential uses, religious institutions, <u>birth centers</u> and hotels, shall comply with the regulations governing maximum hours open to the public as set forth in each district, except where the city planning commission further restricts such hours.

Adopted 12/10/2010

Use

Ordinance 2010-Or-109 amending Title 20, Chapter 549 of the Minneapolis Code of Ordinances relating to Zoning Code: Downtown Districts, amending Section 549.60 and Table 549-1 to add regulations relating to birth centers, was adopted 12/10/2010 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2010-Or-109
By Lilligren
Intro & 1st Reading: 6/18/2010
Ref to: Z&P
2nd Reading: 12/10/2010

Amending Title 20, Chapter 549 of the Minneapolis Code of Ordinances relating to Zoning Code: Downtown Districts.

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That the following portion(s) of Table 549-1 of the above-entitled ordinance be amended to read as follows:

Table 549-1 Principal Uses in the Downtown Districts

Use	B4	B4S	B4C	Specific Development Standards
Medical	Facilities			
Birth Cent	ter P	<u>P</u>	<u>P</u>	$\sqrt{}$

Section 2. That the following portion(s) of Section 549.60(a) of the above-entitled ordinance be amended to read as follows:

549.60. Hours open to the public. (a) *In general*. All uses located in the downtown districts, except residential uses, religious institutions, hotels, colleges and universities, <u>birth centers</u>, hospitals and parking facilities, shall comply with the following regulations governing maximum hours open to the public, except where the city planning commission further restricts such hours:

Sunday through Saturday, from 6:00 a.m. to 1:00 a.m. Adopted 12/10/2010

Ordinance 2010-Or-110 amending Title 20, Chapter 550 of the Minneapolis Code of Ordinances relating to Zoning Code: Industrial Districts, amending Section 550.90 and Table 550-1 to add regulations relating to birth centers, was adopted 12/10/2010 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2010-Or-110
By Lilligren
Intro & 1st Reading: 6/18/2010
Ref to: Z&P
2nd Reading: 12/10/2010

Amending Title 20, Chapter 550 of the Minneapolis Code of Ordinances relating to Zoning Code: Industrial Districts.

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That the following portion(s) of Table 550-1 of the above-entitled ordinance be amended to read as follows:

Table 550-1 Principal Uses in the Industrial Districts

Use	I1	12	13	Specific Development Standards
Medical Fa	cilities			
Birth Center	<u>P</u>	<u>P</u>		$\underline{\checkmark}$

Section 2. That the following portion(s) of Section 550.90(a) of the above-entitled ordinance be amended to read as follows:

550.90. Hours open to the public. (a) *In general.* All uses located in the industrial districts, except residential uses, religious institutions, hotels, <u>birth centers</u>, and hospitals, shall comply with the following regulations governing maximum hours open to the public, except where the city planning commission further restricts such hours:

Sunday through Thursday, from 6:00 a.m. to 10:00 p.m. Friday and Saturday, from 6:00 a.m. to 11:00 p.m.

Adopted 12/10/2010.

 $\label{eq:lambda} \textbf{Z\&P}-Your\ Committee\ concurs\ in\ the\ recommendation\ of\ the\ Planning\ Commission\ in\ granting\ the\ petition\ of\ Balance\ Properties\ (BZZ-5002)\ to\ rezone\ the\ property\ at\ 2902,\ 2904\ \&\ 2906\ Garfield\ Ave\ S\ from\ I1\ to\ the\ C3A\ District,\ maintaining\ the\ PO\ Overlay\ District,\ to\ permit\ a\ minor\ sports\ and\ health\ facility\ on\ the\ premises\ and\ adopting\ the\ related\ findings\ prepared\ by\ the\ Department\ of\ Community\ Planning\ \&\ Economic\ Development.$

Your Committee further recommends passage of the accompanying ordinance amending the Zoning Code.

Adopted 12/10/2010.

Ordinance 2010-Or-111 amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to *Zoning Code: Zoning Districts and Maps Generally*, rezoning the properties at 2902, 2904 & 2906 Garfield Ave S to the C3A District, was adopted 12/10/2010 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2010-Or-111 By Schiff 1st & 2nd Readings: 12/10/2010

Amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to Zoning Code: Zoning Districts and Maps Generally.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 521.30 of the above-entitled ordinance be amended by changing the zoning district for the following parcel of land, pursuant to MS 462.357:

That part of the south 32 feet of Lot 1, and all of Lots 2 and 3, Block 8 of Excelsior Addition to Minneapolis, together with the east half of the vacated alley lying north of the north line of Lot 4 in said Block 8, according to the recorded plat thereof, and situated in Hennepin County, Minnesota (2902, 2904 & 2906 Garfield Ave S - Plate 24) to the C3A District, maintaining the PO Overlay District. Adopted 12/10/2010.

MOTIONS

Hodges moved that the regular payrolls for all City employees under City Council jurisdiction for the month of January, 2011, be approved and ordered paid subject to audit by the Finance Officer. Seconded.

Adopted 12/10/2010.

Samuels moved to adopt the Findings of Fact (FoF 2010-67) prepared by the City Attorney in support of the City Council action taken 11/19/2010 relating to the Probation House rezoning at 2539 Irving Ave N. Seconded.

Adopted 12/10/2010.

RESOLUTIONS

RESOLUTION 2010R-596 By Tuthill

Amending Resolution 2009R-620 entitled "Authorizing car allowance for each member of the City Council for 2010 through 2013 and setting the salary schedule for 2010 through 2013 for Mayor and Council Members", passed December 18, 2009.

Resolved by The City Council of The City of Minneapolis:

That the second resolved clause of the above-entitled resolution be amended to read as follows: "Be It Further Resolved, that for the four-year term commencing January 4, 2010, and ending January 1, 2014, each member of the City Council shall be entitled to either the automobile allowance equal to the Type A automobile allowance provided for in or the automobile allowance equal to the Type B automobile allowance provided for in Minneapolis Code of Ordinances, Chapter 20, Article IX." Seconded.

Adopted 12/10/2010.

UNFINISHED BUSINESS

Pursuant to previous notice, Glidden moved to introduce the subject matter of an ordinance amending Title 13, Chapter 339 of the Minneapolis Code of Ordinances relating to *Licenses and Business Regulations: Body Art Code*, for first reading and referral to the Regulatory, Energy & Environment Committee (amending certain sections to conform with the newly enacted State Statute in the following areas: eliminating the licensing of tattooists and piercers at the municipal level; continuing the licensing of body art establishments; updating health and safety standards, prohibiting tattooing of anyone under age 18 regardless of parental consent; and codify grounds for denial of an establishment license or emergency closure). Seconded.

Adopted upon a voice vote 12/10/2010.

Lilligren moved to adjourn to Monday, December 13, 2010, at 6:05 p.m. in the Council Chamber for the purpose of conducting a public hearing on the Levy and 2011 Budget and for adoption of the 2011 Budget, as previously noted, and to conduct any other business deemed necessary at that time, and that such meeting be and is hereby declared to be an adjourned session of the regular meeting of December 10, 2010. Seconded.

Adopted 12/10/2010.

Casey Joe Carl, City Clerk.

Unofficial Posting: 12/13/2010 Official Posting: 12/17/2010 Correction: 1/10/2011

5/31/2011